JOURNAL

OF THE

REGULAR SESSION OF THE SENATE

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE CITY OF FRANKFORT, ON WEDNESDAY, THE THIRTIETH DAY OF DECEMBER, IN THE YEAR OF OUR LORD, 1885, AND OF THE COMMONWEALTH THE NINETY-FOURTH.

PROPERTY OF THE STATE OF KENTUCKY.

FRANKFORT, KY.:
CAPITAL OFFICE, JOHN D. WOODS, PUBLIC PRINTER AND BINDER,
1886.

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JOURNAL

OF THE

SENATE OF KENTUCKY.

WEDNESDAY, DECEMBER 30, 1885.

Hon. James R. Hindman, Lieutenant Governor, presiding.

At a General Assembly begun and held for the State of Kentucky, at the Capitol in the city of Frankfort, on the thirtieth day of December, one thousand eight hundred and eighty-five, the following Senators appeared and took their seats, viz:

From the First Senatorial District, Robert T. Albritton.
From the Second Senatorial District, J. W. Ogilvie.
From the Third Senatorial District, R. A. Burnett.
From the Fourth Senatorial District, F. M. Clement.
From the Fifth Senatorial District, Henry C. Dixon.
From the Seventh Senatorial District, R. S. Triplett.
From the Eighth Senatorial District, Samuel E. Hill.
From the Ninth Senatorial District, W. W. Bush.
From the Eleventh Senatorial District, Robt. Walker.
From the Twelfth Senatorial District, H. T. Kendall.
From the Thirteenth Senatorial District, D. H. Smith.
From the Fourteenth Senatorial District, G. G. Gilbert.
From the Fifteenth Senatorial District, Thomas S. Grundy.
From the Sixteenth Senatorial District, W. F. Neat.
From the Eighteenth Senatorial District, F. D. Rigney.
From the Nineteenth Senatorial District, S. H. Boles.
From the Twentieth Senatorial District, Lewis W. McKee,

From the Twenty-first Senatorial District, W. M. Cravens.
From the Twenty-third Senatorial District, J. H. McDanell.
From the Twenty-fourth Senatorial District, J. W. Bryan.
From the Twenty-fifth Senatorial District, Albert S. Berry.
From the Twenty-sixth Senatorial District, J. T. Simon.
From the Twenty-seventh Senatorial District, M. C. Alford.
From the Twenty-eighth Senatorial District, C. M. Clay, Jr.
From the Twenty-ninth Senatorial District, John D. Harris.
From the Thirtieth Senatorial District, L. M. Martin.
From the Thirty-first Senatorial District, E. Leslie Worthington.
From the Thirty-second Senatorial District, F. T. D. Wallace.
From the Thirty-third Senatorial District, W. J. Caudill.
From the Thirty-fourth Senatorial District, W. H. Taulbee.
From the Thirty-fifth Senatorial District, J. N. Price.
From the Thirty-sixth Senatorial District, W. H. Frederick.
From the Thirty-eighth Senatorial District, J. R. W. Smith.

The said Robert T. Albritton, M. C. Alford, A. S. Berry, J. W. Bryan, C. M. Clay, Jr., W. M. Cravens, G. G. Gilbert, Thomas S. Grundy, J. D. Harris, S. E. Hill, H. T. Kendall, J. H. McDanell, L. W. McKee, W. F. Neat, F. D. Rigney, J. T. Simon, D. H. Smith, R. S. Triplett, F. T. D. Wallace, A. R. Byers, and E. L. Worthington severally produced certificates of their election, and took the several oaths required by the Constitution of the United States and the Constitution and laws of this Commonwealth.

The Speaker then announced that nominations for the office of Chief Clerk of the Senate were in order,

Whereupon, Mr. Martin nominated Mr. Harry T. Glenn, of Nicholas county, as a suitable person to fill said office.

There being no other nomination, the vote was taken thereon, which resulted as follows, viz :

Those who voted for Mr. Glenn, were—

R. T. Albritton,	W. H. Frederick,	J. N. Price,
M. C. Alford,	G. G. Gilbert,	F. D. Rigney,
A. S. Berry,	T. S. Grundy,	J. T. Simon,
S. H. Boles,	J. D. Harris,	D. H. Smith,
J. W. Bryan,	S. E. Hill,	J. R. W. Smith,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
W. W. Bush,	L. M. Martin,	R. S. Triplett,

W. J. Caudill, J. H. McDanell, F. T. D. Wallace,
C. M. Clay, Jr. L. W. McKee, E. L. Worthington,
F. M. Clement, W. F. Neat, Robert Walker—32.
W. M. Cravens, J. W. Ogilvie,

Whereupon, the Speaker declared Mr. Glenn duly elected Clerk of the Senate for the present session, who then took the oath prescribed by the Constitution and laws of this Commonwealth.

The Speaker then announced that nominations for the office of Assistant Clerk of the Senate were in order,

Whereupon, Mr. Bush nominated Mr. John Allison, of Muhlenberg county, as a suitable person to fill said office.

There being no other nominations, the vote was taken thereon, which resulted as follows, viz:

Those who voted for Mr. Allison, were—

R. T. Albritton, W. M. Cravens, J. W. Ogilvie,
M. C. Alford, W. H. Frederick, J. N. Price,
A. S. Berry, G. G. Gilbert, F. D. Rigney,
S. H. Boles, T. S. Grundy, J. T. Simon,
J. W. Bryan, J. D. Harris, D. H. Smith,
R. A. Burnett, S. E. Hill, J. R. W. Smith,
W. W. Bush, H. T. Kendall, W. H. Taulbee,
A. R. Byers, L. M. Martin, R. S. Triplett,
W. J. Caudill, J. H. McDanell, F. T. D Wallace,
C. M. Clay, Jr. L. W. McKee, E. L. Worthington,
F. M. Clement, W. F. Neat, Robert Walker—33.

Whereupon, the Speaker declared Mr. Allison duly elected Assistant Clerk of the Senate for the present session, who then took the oath prescribed by the Constitution and laws of this Commonwealth.

Upon motion of Mr. J. R. W. Smith, the Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 31, 1885.

The Speaker announced that nominations for the office of Sergeant-at-Arms of the Senate were in order.

Whereupon, Mr. J. R. W. Smith nominated Mr. B. W. Jenkins, of the city of Louisville, as a suitable person to fill said office.

There being no other nomination, the vote was taken thereon, which resulted as follows, viz:

Those who voted for Mr. Jenkins, were—

R. T. Albritton,	W. H. Frederick,	J. N. Price,
A. S. Berry,	G. G. Gilbert,	F. D. Rigney,
S. H. Boles,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	J. D. Harris,	D. H. Smith,
R. A. Burnett,	R. G. Hays,	J. R. W. Smith,
W. W. Bush,	S. E. Hill,	W. H. Taulbee,
A. R. Byers,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	L. M. Martin,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. H. McDanell,	J. H. Wilson,
F. M. Clement,	L. W. McKee,	E. L. Worthington,
W. M. Cravens,	W. F. Neat,	Robert Walker—35.
Henry Dixon,	J. W. Ogilvie,	

Whereupon, the Speaker declared Mr. Jenkins duly elected Sergeant-at-Arms of the Senate for the present session, who took the oath prescribed by the Constitution and laws of this Commonwealth.

The Speaker then announced that nominations for the office of Door-keeper of the Senate were in order.

Whereupon, Mr. Worthington nominated Mr. J. Fry Lawrence, of the city of Louisville, as a suitable person to fill said office.

There being no other nomination, the vote was taken thereon, which resulted as follows, viz.

Those who voted for Mr. Lawrence, were—

R. T. Albritton,	W. H. Frederick,	J. W. Ogilvie,
A. S. Berry,	G. G. Gilbert,	J. N. Price,
S. H. Boles,	T. S. Grundy,	F. D. Rigney,
J. W. Bryan,	J. D. Harris,	J. T. Simon,
R. A. Burnett,	R. G. Hays,	D. H. Smith,
W. W. Bush,	S. E. Hill,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,

W. J. Caudill, L. M. Martin, R. S. Triplett,
C. M. Clay, Jr., J. H. McDanell, F. T. D. Wallace,
F. M. Clement, L. W. McKee, E. L. Worthington,
W. M. Cravens, W. F. Neat, Robert Walker—34.
Henry Dixon,

Whereupon, the Speaker declared Mr. Lawrence duly elected Door-keeper of the Senate for the present session, who then took the oath prescribed by the Constitution and laws of this Commonwealth.

The Senator from Louisville, Mr. Smith, moved the following resolution, viz:

Resolved, That the rules of the last Senate and joint rules of the two Houses of the last General Assembly be adopted as the rules for the government of the present Senate, and that the Public Printer be directed to print and furnish two hundred copies of said rules for the use of the members and officers of the General Assembly.

Mr. Burnett moved to postpone the further consideration of said resolution until the regular Committee on Rules is appointed.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Hill,

Ordered, That a committee of three Senators be appointed, to report to the House of Representatives, that the Senate is now organized and ready to proceed to business.

Whereupon, the Speaker appointed Messrs. Hill, Harris, and Byers said committee.

After a short time Mr. Hill, from said committee, reported that they had performed the duty assigned them.

Mr. Martin moved the following resolution, viz:

Resolved, That the pastors in charge of the various churches in the city of Frankfort be, and they are hereby, requested to open the sessions of the Senate with prayer, and that they arrange among themselves the order in which they are to render the service.

Which was twice read and adopted.

Mr. Boles moved the following resolution, viz:

Resolved, That the seats of Senators be determined by lot as follows: The Clerk of the Senate shall write the names of

Senators on slips of paper as near alike as he can, and fold the same so that the names can not be seen, and place the slips in a hat; he shall then number the seats from one up to the whole number, and write upon slips of paper as nearly alike as he can the numbers of the seats, and fold the slips so the numbers can not be seen and place them in another hat; both hats shall then be well shaken up, and he shall then draw from one hat a slip with name of Senator on it, and from the other hat a slip with a number on it, and the seat having the number on it corresponding with the number drawn shall be the seat of the Senator drawn at the same time, and so on until all the names and numbers are drawn.

Which was twice read and adopted.

Mr. Clay moved to reconsider the vote by which the Senate had adopted said resolution.

And the question being taken thereon, it was decided in the affirmative.

Mr. Harris moved the following amendment as a substitute for said resolution, viz:

Resolved, That each Senator retain the seat he has selected or has in his possession.

And the question being taken thereon, it was decided in the negative.

Mr. Price moved the following amendment as a substitute for said resolution, viz:

Resolved, That the names of each Senator be placed upon a slip of paper and placed in a hat and well shaken, and the Clerk shall draw the name of each Senator from the hat, and the Senator drawn shall have the right to select his seat.

Which was adopted.

The question was then taken upon the adoption of said resolution, as amended, and it was decided in the affirmative.

On motion of Mr. Caudill, the Speaker appointed Messrs. Caudill and Bush a committee to represent the absentees in the drawing of seats.

On motion of Mr. Burnett, Mr. Rigney was permitted to retain the seat occupied by him.

On motion of Mr. Walker, Mr. Ogilvie was permitted to retain the seat occupied by him.

On motion of Mr. Ogilvie, the same privilege was extended to Messrs. Taulbee and Frederick.

In pursuance of the provisions of the resolution adopted by the Senate, the Clerk proceeded to draw the names of the Senators for the selection of seats, with the following result, viz:

To R. T. Albritton	No. 29	To S. E. Hill	No. 31
To M. C. Alford	" 2	To H. T. Kendall	" 18
To A. S. Berry	" 15	To L. M. Martin	" 26
To S. H. Boles	" 21	To J. H. McDanell	" 12
To J. W. Bryan	" 9	To L. W. McKee	" 35
To R. A. Burnett	" 28	To W. F. Neat	" 37
To W. W. Bush	" 30	To J. W. Ogilvie	" 6
To A. R. Byers	" 17	To J. N. Price	" 36
To W. J. Caudill	" 11	To F. D. Rigney	" 5
To C. M. Clay, Jr.	" 1	To J. T. Simon	" 24
To F. M. Clement	" 38	To D. H. Smith	" 3
To W. M. Cravens	" 34	To J. R. W. Smith	" 8
To Henry Dixon	" 32	To E. R. Sparks	" 10
To John Feland	" 33	To W. H. Taulbee	" 7
To W. H. Frederick	" 23	To R. S. Triplett	" 16
To G. G. Gilbert	" 27	To Robert Walker	" 22
To T. S. Grundy	" 13	To F. T. D. Wallace	" 4
To J. D. Harris	" 14	To J. H. Wilson	" 19
To R. G. Hays	" 20	To E. L Worthington	" 25

A message was received from the House of Representatives by Messrs. Moss, Harris, and Denton, informing the Senate that they had met and organized and had appointed a committee to act in conjunction with a similar committee from the Senate to wait upon the Governor and inform him that the two Houses of the General Assembly had met and organized, and were now ready to receive any communication he may see proper to make.

Mr. Smith, of Louisville, moved the following resolution, viz:

Resolved, That a committee of three Senators be appointed by the Speaker, to act in conjunction with a similar committee of the House of Representatives, to inform his Excellency, the Governor, that the General Assembly is now organized and ready to receive any communication he may desire to submit.

Which was twice read and adopted.

Whereupon, the Speaker appointed Messrs. Smith, of Louisville, Bryan, and Neat said Committee.

After a short time, Mr. Smith, from the joint committee appointed to wait upon the Governor, reported that they had performed the duty assigned them, and were informed by the Governor that in a short time he would lay before the General Assembly a communication, in writing.

In a short time a message in writing was received from the Governor by Hon. James A. McKenzie, Secretary of State.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate and House of Representatives:

The circumstances under which you have assembled are peculiarly gratifying. At no period in our history have our federal relations been more harmonious or our domestic affairs more tranquil. All classes have quietly acquiesced in the political revolution accomplished through the regular and peaceful methods of the Constitution, by which the executive functions of the General Government have been transferred from the party under whose control they had been administered for twenty-four consecutive years. That fact has relieved the great mass of our colored population of the slavish fear, excited by unscrupulous and designing persons for the promotion of their own sinister purposes, that their race would be remanded to its former condition of servitude upon the accession of the opposing party to power. We have been visited by no great popular calamity; the development of our resources, though gradual, has been continued and healthy; the products of many of our industries have been largely increased; private enterprise has been crowned with remunerative results, and public prosperity has kept pace with the constant growth of our population.

Meeting under such agreeable auspices, you are especially to be congratulated that you are confronted at the threshold of your deliberations by nothing calculated to distract your labors or divert your attention from the grave and important subjects of practical legislation which imperatively demand your earnest and careful consideration.

Paramount among these are the glaring and mischievous defects in our financial system which have been so frequently brought to the notice of your predecessors within the last decade, and for which it is hoped your wisdom may provide some adequate remedy.

In my message to the last Legislature, I called attention to the fact that while there was a balance in the Treasury of $8,624.33 for the fiscal year ending June 30, 1883, we were owing $500,000 on temporary loans from the banks, which created an actual deficit of $491,375.67; and that there was no reasonable prospect of its being extinguished, or

materially diminished for years with the resources of the Treasury as they then existed, which were barely sufficient to enable us, after defraying the other expenses of the Government, to accumulate every two years a balance about equal to the additional expenditures incident to a single session of the General Assembly. That conclusion was not only fully sustained but rendered more strikingly suggestive by the carefully considered estimates submitted by the Auditor of Public Accounts, in which he predicted a deficit of over $298,000 for the fiscal year ending June 30, 1885.

In view of these facts I urged the adoption of such measures as would not only insure the liquidation of our indebtedness to the banks at the earliest practicable moment, but place the Treasury in a condition to promptly meet all its liabilities on demand. It was not found expedient to do so, however. On the contrary our fiscal affairs were still further embarrassed by the diversion of revenues from the General Expenditure to the School Fund, aggregating in two years over $350,000, by appropriations which had not been anticipated, amounting to more than $284,000, and by the addition of $175,000 to the ordinary expenditures of the Government in consequence of the unusual length of the session, protracted by circumstances which had not been foreseen and which, perhaps, could not have been avoided.

To meet these additional liabilities of the General Expenditure Fund, the rate of taxation was increased five cents on the hundred dollars, yielding upon our accustomed rates of assessment an annual increase of revenue averaging about $160,000; and as a further means of preventing the anticipated deficit in the Treasury, an act was passed directing the funding of the bank debt at a rate of interest not exceeding five per cent. per annum; in pursuance of which $500,000 in twenty-year bonds at four per cent. were negotiated as of June 1, 1885, at two and a half per cent. premium, and the proceeds, amounting to $512,500, paid into the Treasury and accounted for as part of the receipts of the last fiscal year,

In the light of these facts you will be enabled to arrive at a clearer understanding of the following exhibit of the condition of the Treasury submitted by the Auditor of Public Accounts, in his report of the "annual income and expenditures of the Government for the two years" preceding the first day of July, 1885.

The balance in the Treasury to the credit of the several funds, at the close of the fiscal year, ending June 30, 1883, was as follows:

General Expenditure Fund		$ 8,624 33
Sinking Fund		174,002 30
White School Fund		186,288 53
Colored School Fund *Deficit*	$100,309 53	
Total		$368,915 16
Less Colored School Fund *Deficit.*		100,309 53
Net Balance		$268.605 63
The Receipts into the Treasury during the fiscal year		2,615,162 56
Total Receipts from all sources, including Balances		$2,883,768 19
Disbursements for the same period		2,761,456 52
Leaving *Balance in Treasury June 30th*, 1884		$122,311 67
But there has been borrowed of the Sinking Fund		$174,000 00
To which add Net School Fund Balance		131,340 83
Making		$305,340 83
From this deduct Balance in Treasury, as above		122,311 67
Leaving a *Deficit in General Expenditure Fund, June 30th*, 1884		$183,029 16

The balance in the Treasury to the credit of the several Funds, at the close of the fiscal year, ending June 30, 1884, was as follows:

General Expenditure Fund *Deficit*	$183,029 16	
Sinking Fund Balance		$174,000 00
School Fund Balance.		131,340 83
Total		$305,340 83
Deduct Deficit in General Expenditure Fund		183,029 16
Net Balance		$122,311 67
The Receipts into the Treasury during the fiscal year, ending June 30th, 1885, were		3,323,055 49
Total Receipts from all sources, including Balances		$3,445,367 16
Disbursements for the same period were		2,919,779 40
Leaving Balance in Treasury June 30, 1885		$525,587 76

The above Balance belongs to the several Funds, as follows:

General Expenditure Fund.	$ 35,812 30
Reserve to meet Bank Loan	200,000 00
Sinking Fund.	180,896 21
School Fund	108,879 25
Total as above	$525,587 76

From the foregoing it will be seen that at the end of the last fiscal year there was a cash balance in the Treasury to the credit of the General Expenditure Fund of $35,812.30, but at the same time there were

unpaid balances of appropriations and claims against that fund aggregating $328,997.82, showing an actual deficit of $293,185.52 to be provided for. It will be observed, however, that during the two years preceding the first of July, 1885, there had been diverted from the General Expenditure to the School Fund over $350,000, while up to that date there had been realized only about $160,000 from the increase of five cents tax upon each hundred dollars of assessed values; consequently, if that transfer had not been made, the deficit would have been only $103,185.52, even if there had been no increase in the rate of taxation, and but for the $175,000 additional expenditure, incurred by reason of the prolonged session of the Legislature, there would have been no deficit at all, but a clean balance of over $55,000, after paying all appropriations and claims against the Commonwealth.

From this statement alone it is manifest that the deficit above referred to is attributable to no lack of ordinary economy in the necessary expenditures of the Government, but to circumstances entirely beyond the control of its accounting officers. But that fact may be placed in a clearer light by a brief examination of the resources of the Treasury and the manner in which the funds were distributed under existing laws.

The total amount of receipts from Sheriffs for taxes during the fiscal year ending June 30, 1885, was $1,766,000.39, and that derived from all other sources of revenue, for general purposes—including $512,500 accruing from sale of bonds—was $1,467,363.30, making in all $3,233,-363.69. Of this sum, $168,500.31 was placed to the credit of the Sinking Fund; $869,457.82 transferred to the School Fund; $18,420.35 to the Agricultural and Mechanical College, and $522,250 paid on principal and interest of bank loans, leaving a net balance to the credit of the fund for general expenditures of $1,654.735.21. Of this sum, $377,-231.37 went to the support of our public charities; $513,762.58 to pay costs of criminal prosecutions, the *per diem* of jurors, and for record books for counties, and $108,689.74 on appropriations made by the Legislature, leaving only $655,051.52 for the payment of all the current expenses of the government, fixed and contingent.

From the foregoing it will be observed that during the last fiscal year the entire amount which went to defray the ordinary expenses of the State government—after deducting costs in criminal prosecutions, pay of jurors and cost of county record books—was $232,826.65 less than that set apart for educational purposes, and $233,993.43 less than the aggregate of the three items of expenditure just enumerated. In other words, forty-nine and nine-tenths per cent. of the fifty-two and a

half cents levied upon each one hundred dollars of assessed values in our State inures by force of law to the support of our common schools and the Agricultural and Mechanical College, while over fifty-seven per cent. of the residue was absorbed last year in the payment of criminal costs, jurors' fees and for county records.

These facts become strikingly significant when it is remembered that but four other States in the Union appropriate anything like as great a proportion of the revenues they derive from State taxation to educational purposes—many of them not one-half, others not a fourth, and a still greater number nothing at all—while in all of them except six the payment of costs in criminal cases and the *per diem* of jurors is relegated to the counties, and that in five of the six exceptions they are divided between the counties and the State.

Nevertheless, we are confronted by the fact that there was a deficit in the Treasury for the last fiscal year, and that it is likely to recur from year to year unless some means shall be devised to prevent it, as is clearly indicated by the following estimates of the General Expenditure Fund, submitted by the Auditor of Public Accounts, for the two years ending June 30, 1887:

Estimated receipts to June 30, 1886		$1,630,000 00
Estimated expenditures	$1,650,500 00	
Add deficit	293,185 52	
TOTAL	$1,943,685 52	
Deduct receipts	1,630,000 00	
Deficit June 30, 1886	$ 313,685 52	

For the year ending June 30, 1887—

Estimated receipts		$1,620,000 00
Estimated expenditures	$1,502,600 00	
Add deficit	313,685 52	
TOTAL	$1,816,285 52	
Deduct receipts	1,620,000 00	
Deficit June 30, 1887	$ 196,285 52	

It is possible indeed that under our existing system an occasional balance may be found to the credit of this fund; but it is certain that such can not be the case except for the alternate years in which there will be no session of the General Assembly, and it is equally certain that such balances will invariably be for less than the increased ex-

penses and appropriations of the year following; so that at least once in every two years the Commonwealth will be found not only with an empty treasury, but with a large amount of unpaid claims against it which ought to have been liquidated on demand.

The question therefore is, how shall such a humiliating and discreditable condition of affairs be averted? We can no longer look to temporary loans for relief, even if a resort to such means could remedy, instead of aggravating, the difficulty. Fortunately for us, in my judgment, we have reached the constitutional limit in that direction. An increase in the rate of taxation is neither desirable nor necessary; on the contrary, if proper measures should be adopted, it would soon be found practicable to reduce it, and still provide abundant revenues to meet all the necessary expenditures of the Government, current and extraordinary. I presume that no one desires that the resources of the School Fund shall be diminished, or that there should be an abatement of a single cent in the means provided to ameliorate the condition of the insane, the blind, the feeble-minded, or the deaf and dumb; especially when the demand for the more adequate accommodation of those unfortunate classes of our fellow beings is increasing year by year with the increase of our population. And I think it will be found that the expenditures of the Goverment for other purposes could be reduced but little, if any, without detriment to the public service. The remedy therefore, in my opinion, must be sought first in a thorough revision of our system of assessments.

That this needs immediate and thoughtful attention is evident from the simple fact, that the total assessed value of the personal property of the Commonwealth for the last fiscal year was only $96,838,919, while that of our real estate amounted to $293,989,044. Surely it will not be contended that over three-fourths of our entire wealth consists of real estate, or that more than three-fourths of our taxes should be levied upon that species of property, especially when we reflect that it lies at the very foundation of all our productive industries, and should for that reason alone be relieved as far as possible from any undue burden of taxation. Yet it is a singular fact, and one aptly illustrative of the defects in our present system of assessments, that the returns for 1885 show that the number of acres of land in the State was 345,323 less than the year before, and still there was an increase in the aggregate valuation of that species of property of $14,120,530, while there was a decrease of $1,190,027 in the total valuation of personalty.

But there is another fact equally suggestive to which I would invite your attention. You will find the assessed values of the contiguous

State of Indiana aggregating for the year 1884, $804,291,273 while our own for the same year were only $377,888,542. This startling difference can not be explained upon the ground of a corresponding difference in the territorial areas of the two States, for that of Kentucky is over seven thousand square miles greater than that of Indiana, while the number of acres assessed in the former for that year, was 2,229,327 more than in the latter. Nor can it be attributed to any great difference in population; for the population in that State is but little over three hundred thousand in excess of our own. We can not admit that their aggregate wealth is more than double our own, or that ours averages but $222 *per capita*, while theirs is over $406, for we know that no such disparity actually exists. We can, therefore, only account for an exhibit so greatly to our own disadvantage upon the hypothesis that their property is assessed at very much nearer its real value than ours, or that their schedules embrace many descriptions of property which with us escape taxation entirely. Perhaps, upon investigation, both of these hypotheses will be found correct.

Independent of these facts, however, there is not an intelligent tax-payer in the Commonwealth who does not know that outside of our centers of wealth and population where valuations are usually higher in order to raise large sums by taxation for local purposes, property is rarely if ever assessed at more than fifty, and often not over forty per cent. of its actual cash value.

For such a condition of things there can be no possible excuse consistent with any enlightened principle of public policy. It is of no benefit whatever to the average tax-payer that property in general should be assessed at only half its value; for where a given amount of revenue is to be raised it would simply double the rate of taxation. But in the occasional instances in which the property of the individual is assessed at what it would fetch in the market, such a reduced rate of general assessment must of necessity be grossly unjust and oppressive. On the other hand, with a more comprehensive and better defined schedule, embracing large amounts of property of which our assessors now take no notice at all, and with all varieties of taxable property assessed at their fair market value, the burden of taxation would not only be more evenly and justly distributed, but the rate would soon sink to less than one-half the present standard, and still furnish an abundant revenue for all the purposes of the Government. It is true it may make no difference to the individual tax-payer—supposing all assessments to be upon a uniform ratio—whether he pays a half per cent. upon his property assessed at half its value, or a quarter per cent. upon the same

property at its full value. The amount to him would be the same in either instance. But it is easy to see that it would make a vast difference in respect to the prosperity of the Commonwealth. In the one case it would present the pitiable and repellant spectacle of a poverty-stricken community staggering under an enormous load of taxation, and in the other that of a thrifty and lightly burdened people among whom the intelligence, the industry, the enterprise and the capital of other States and countries would be glad to find a home.

It is true that much good has been accomplished by the act of the last General Assembly establishing the State Board of Equalization. It met my very hearty approval at the time of its enactment, not as being anything like a thorough remedy for the many evils to be found in our revenue system, but as the inauguration of a necessary and important movement in the right direction; and a careful observation of its operation during the past two years has confirmed the opinion I then entertained. It has already corrected, to some extent, the glaring inequality in the rates of assessment which formerly existed, and still exists, to a greater or less degree throughout the State, and brought about an aggregate increase of over twelve million dollars in the assessments of a single year by causing assessors in many instances to place a fairer valuation upon the property assessed. And it may be confidently expected to effect a great deal more in the same direction within a very few years even if it should be permitted to remain as it is. Yet, it must be admitted that it would be more just in its operation, more consistent with the law which requires every assessor, under oath, to assess all property at its fair and full value, and far more efficacious in elevating the standard of valuation throughout the State, if it were so amended as not to authorize or permit the Board to make a reduction in the assessment in any instance whatever, but to require it to adopt, as a standard, the highest rate per cent. upon its actual cash value at which the returns for the year shall show each species of property to have been assessed anywhere in the State, and bring the assessments of all property of each variety up to the ratio thus established for the class to which it belongs. Thus amended—as I earnestly recommend that it shall be—the law would not only be more just, but its administration less liable to create dissatisfaction or excite unfriendly criticism, while its results would certainly be vastly more beneficial to the revenues of the Commonwealth.

But undervaluation and inequality in the assessment of property for taxation are not the only evils in our revenue system that demand legislative correction. Large amounts of property have, from time to

time, been exempted from taxation by private acts of the Legislature, many of which are in direct contravention of the organic law, and a gross injustice to the tax-payer. Institutions of questionable morality, claiming to exercise their privileges under the sanction of legislative authority, are plying their business in our State, and reaping enormous incomes from our people without contributing a cent to the revenues of the Commonwealth. The Treasury is annually drained of thousands of dollars in gratuities to local officials, who are authorized by special provisions hidden away in the charters of cities and towns, to demand twice the fees in criminal proceedings which are allowed by law to other officers for similar services. Expenditures amounting to hundreds of thousands per annum are paid out of the revenues of the Commonwealth which, upon every principle of common justice and intelligent economy, should be borne by the counties in which they are respectively incurred. These have stimulated extravagance, encouraged fraud, and, in many instances, lead to the organization of systematic conspiracies to pillage the public treasury.

I therefore most earnestly recommend, as I did to the last Legislature, "a thorough revision of our entire system of revenue, so as to insure, as far as possible, a uniform and fair assessment of all the taxable property in the State, which shall be just, alike to all portions of the Commonwealth and all classes of the community; the suppressions of all unjust exonerations; the prevention of unnecessary delinquencies; the prompt collection of the revenue; the relegation to the counties of all expenses which should be borne by them; a uniform scale of compensation to all public officers of whatever grade or locality, for the performance of simular services, and the more certain and rigorous punishment of all frauds upon the public treasury."

Such a work to be at all complete, will of course, require mature deliberation, as well as a careful and laborious examination of the various systems which have been approved by the experience of other States, and if a want of sufficient time, or other circumstance, shall prevent its accomplishment during your present session, I would renew the suggestion I made two years ago, that measures should at least be taken to have such a revision thoroughly prepared and ready for submission at the meeting of the next General Assembly. Should you deem it wisest to pursue this course I would urge the necessity of your making such amendments to chapter nintey-two of the General Statutes as will in the interim correct to some extent the inconveniences and evils growing out of our present system. Many of them which occur to me as highly important have been embraced in a carefully prepared bill

which I presume will be submitted for your action, and which I earnestly commend to your enlightened consideration.

In this connection I beg leave to direct your serious attention to the wise and thoughtful suggestions so frequently urged by the Auditor of Public Accounts with reference to the furnishing of county records, the maintenance of pauper idiots and the payment of costs in criminal cases, and which he has so forcibly repeated in his late admirable report. The evils to which he calls attention are so potent and his discussion of their remedy so exhaustive that his recommendations need no supplement at my hands.

SINKING FUND.

The resources and liabilities of the Sinking Fund at the close of the last fiscal year, were as follows:

RESOURCES.

Balance in the Treasury June 30, 1885	$180,896 21
Four hundred and six shares of stock in Bank of Louisville, quoted at	30,450 00
Turnpike Stock, estimated at	500,000 00
Total estimated Resources	$711,346 21

LIABILITIES.

One hundred and seventy-four (6 per cent.) Military Bonds, $1,000 each, due in 1894–1896	$174,000 00
Five hundred $1,000 4 per cent. bonds, due 1905	500,000 00
Total	$674,000 00

This fund is also charged with the following sums, which have been so long due and not heard from that they are presumed to have been lost or destroyed, and will probably never be presented for payment:

Old Railroad Script	$ 394 00
Thirty-year Bonds, issued 1835	5,000 00
Bond issued 1861–1866	1,000 00
Total	$6,394 00

The semi-annual interest accruing upon the State and county school bonds is paid out of the revenue arising from the tax of five cents on each hundred dollars, annually placed to the credit of the Sinking Fund, but the principal, amounting at this time to $1,705.966.71, is dedicated forever to the support of our Common Schools, and is never to be paid. Assuming the amount derived to the Sinking Fund from this source last year as a basis, the annual net balance available for other purposes, after the payment of all interest for which the Commonwealth is liable will be over thirty-six thousand dollars.

PENITENTIARY.

It affords me unusual pleasure to be able to say that the Penitentiary is in better condition than it has ever been at any other period within the memory of the present generation. Having, with extreme regret, been forced to the conclusion that the welfare of that institution, as well as their own duty to the Commonwealth, demanded the removal of the late Warden, the Directors were fortunate enough to secure the services of Capt. E. H. Taylor in that capacity. He entered upon the discharge of his duties on the 23d of September, 1884, and from that time to this his management of the prison has been an honor to the State and a credit to the civilization of the age. With a rare faculty for the proper control of men, he at once commanded the respect of his subordinates, and secured the confidence and esteem of the unhappy class committed to his charge. Dignified in his demeanor, yet kind in his intercourse with those around him; humane in disposition, yet rigorously just in his transactions with all; active, vigilant, and punctillious in the discharge of his own duties, and firm in the exaction of a corresponding diligence in those under his control, he has maintained a discipline which, without harshness or friction, has elevated the morale of the prison government, increased the comfort, and improved the conduct of the convict, and made the Penitentiary a model of cleanliness, decorum, and order—no longer a blot upon the escutcheon of the Commonwealth, but a source of pride to our own people and a matter of gratulation to the philanthropist everywhere. Convicts are nowhere better fed, more comfortably clothed, more carefully attended when sick, or required to keep themselves and their apartments more scrupulously clean when well and as a consequence there has been, in a single year, a decrease of over one-third in the number of invalids treated, and the mortality from acute or curable diseases has fallen, during the same period, greatly below what it has ever been known before. They are nowhere less burdened by labor or less frequently amenable to punishment for breaches of prison discipline, and they nowhere perform their allotted tasks with more alacrity or cheerfulness. In all these particulars the Penitentiary of Kentucky has been made, through the admirable management of Warden Taylor, the equal, if not the superior, of any similar institution on the continent.

In other respects, however, the administration of the affairs of the prison within the past year has been attended by difficulties of a very serious character, but which, I am glad to say, have been happily overcome. During the months of July, August and September, 1884, the Di-

rectors were severely criticised for simply obeying the requirements of a law which they could neither alter nor ignore, and for declining to usurp the exercise of functions with which they had never been legally invested. Alarmed by the clamor thus raised, capitalists who had previously determined to submit propositions to hire the labor of the Penitentiary, in pursuance of the provisions of the statutes relating to that subject, failed to do so. Consequently, on the expiration of the then existing contract with Mason, Hoge & Co., the Directors, although they had published the advertisements required by law, found themselves not only without a solitary bid, but confronted by the most embarrassing circumstances. With over a thousand convicts on their hands to be confined within the walls of a prison in which the accommodations were sufficient for but little over one-half of the number; to be guarded fed, clothed and furnished with medical attention at the expense of a treasury already greatly embarrassed by over-drafts; to be kept in idleness until the Legislature, at an outlay of hundreds of thousands of dollars, could provide machinery and material anything like adequate to their employment; with the roofs of the prison buildings in urgent need of repair, and the walls of one of the principal workshops in imminent danger of falling at any time, the situation was certainly one of extreme perplexity, as well as grave responsibility.

Assisted, however, by the cheerful co-operation and rare administrative ability of the present excellent Warden, they succeeded in repairing the roofing, rebuilding the dilapidated walls of the workshops, and subsisting the convicts for a period of six months at a net expense of $33,330.40; and at length concluded a contract with the Mason-Foard Company, taking effect April 1, 1885, by which the entire labor of the penitentiary was let to that Company for the term of four years, to be employed by them in strict conformity to the requirements of the statute, in consideration of which, the Company obligated itself to pay in monthly installments an amount equal to the salaries and pay of all officers and guards, clothe, subsist and furnish medical attention to all the prisoners, furnish ten unskilled laborers, free of charge, at any time when needed for work on the public buildings and grounds, if not employed in the prison, pay all rewards for the apprehension and return of escaped convicts, and pay into the State Treasury $8,333.33$\frac{1}{3}$ per year. In other words, the contractors are to acquit the State of all cost whatever for running the Penitentiary for four years from the first of April last, and pay into the Treasury a bonus of $33,333$\frac{1}{3}$ for that term; thus reimbursing the State for the net expenses incurred during the six months previous to the date of the contract, with the

right reserved to the Directors to withdraw at any time as many convicts as may be required for work on the Branch Penitentiary, upon giving sixty days' notice as required by law.

The contract thus concluded may be considered as more advantageous to the Commonwealth than any other ever negotiated with regard to its convict labor. It not only relieves the revenues of the State from all complication or embarrassment on account of the Penitentiary for four years, besides fully repairing the loss which occurred during the six months while the convicts were not under contract, but it continues the control of our convict labor with virtually the same parties who for a series of years past have shown themselves to be gentlemen of the strictest integrity, as well as enlarged and enlightened humanity, who have always exhibited the most cheerful disposition in assisting the directors and officers of the prison in every effort they have made to promote the public interests, establish a humane system of discipline, and ameliorate the condition of the convicts. Under their supervision the comfort of the convicts employed outside of the prison are as carefully provided for as those confined within its walls, besides being so moderately tasked that many of them have been enabled by their own voluntary labor to accumulate considerable sums for themselves.

BRANCH PENITENTIARY.

The Commissioners appointed under the provisions of the act of the last Legislature to superintend the erection of the Branch Penitentiary at Eddyville report that work in a fair state of progress. The land purchased for the purposes of the prison embraces eighty acres, the title to which has been conveyed to the Commonwealth by deed approved by the Attorney General. The site was selected with reference both to its hygienic advantages and the convenience of transportation. In the plans adopted special attention seems to have been paid to sanitation as well as security, and convenience and all proper arrangements contemplated for the classification of convicts according to their merits, and especially for the sequestration of juvenile offenders from older and more abandoned criminals, and when finished there is little doubt that it will be found to be one of the most complete and best appointed State prisons in the country.

The boundary wall, when completed, will be 1,711 feet long and 20 feet high, of which, at the beginning of the present month, 1,036 feet had been built to the height of 18 feet, completing one of the wings, and over one-half of the rear wall, including one of the gateways and

three of the watch towers. The front and rear walls of the Administration Building, and one of the cell-houses, and the front wall of another, and half the front walls of the third cell-house had also been completed to the water-table, an average height of 15 feet. Fifteen cells in one of the houses have been finished, ready for use, and half the walls of the second tier of cells erected, and the concrete foundations, second-class masonry for all the main and cross-walls of the four buildings completed; while the total amount expended up to that time was $71,922.30, leaving, of the appropriation made by the last Legislature, an available balance of $78,077.70.

I feel that I would be remiss in my duty if I should quit this subject without an earnest recommendation that the law be so amended as to invest the Board of Directors with the same power to appoint and remove the Warden they now have to appoint and remove the other officers of the Penitentiary. I urge this in the first place as a matter of sheer justice to the Directors themselves—not merely to the members of the present Board but to their successors as well. Their duties as such are all *ex officio;* they have no special relation to those pertaining legitimately to the position to which the Directors are respectively chosen, but are devolved upon those officers as a mere matter of convenience or economy, and are always onerous and frequently attended with the gravest responsibility. If the affairs of the Penitentiary are conducted properly nothing is set down to the credit of the Directors on that account, no matter how much may be due to their sagacity, zeal, or integrity; but if anything in the administration of the prison should prove disastrous or unsatisfactory, the Directors alone are held to answer at the bar of popular censure. I submit, therefore, that if they are required to do effective service for the Commonwealth, they ought, in simple justice, to be permitted to choose the chief instrument with which to accomplish it, and especially that no one should be allowed to put an obstacle in their way. Surely they should not be required to "make bricks without straw."

But I make this recommendation for other and far more cogent reasons: I offer it as a matter of justice to the Commonwealth and to the hundreds of its citizens whose liberties have been forfeited under its laws, and who have neither the right nor the power to help themselves. No one will deny that the officer who stands directly between the Commonwealth and this unfortunate class, invested on either hand with weighty interests and important duties, should be selected with reference alone to his qualifications for such a trust; and it is equally

certain that none would be more likely to make the selection on such grounds than those who are directly interested in his capacity, under whose direction he is to act, and who are to be held in a great measure responsible for the consequences of his conduct.

It will not do to say that a majority of the officers who constitute the Board are likely to be so far controlled by personal prejudices, sectional preferences, social influences, or party considerations, or that they are so deficient in discretion or integrity that it would be unsafe to entrust them with such a power, for they already have the power to appoint and remove the Clerk, the Chaplain, the Physician, and the Deputy Warden, who performs all the functions of Warden in the absence of that officer. And, besides, they are charged with duties of vastly greater importance and responsibility by the very act which constitutes them Directors of the Penitentiary *ex officio*. If they are fit for such trusts as these, they are certainly competent to the other. What peculiar divinity is it then "which doth so hedge about" the office of Warden that it should be made an exception to a rule to which no objection has ever been suggested in every other case?

The plain fact is, the duties of Warden require a combination of peculiar qualifications, as every one with the slightest familiarity with the subject must be aware. A man may possess far more than ordinary intelligence, he may be of the most irreproachable moral character, and yet prove a lamentable failure in that position, both with regard to the interests of the Commonwealth and of those under his charge.

By innumerable deficiencies and delinquencies, intentional or unintentional, he may soon destroy the confidence of his subordinates and excite the contempt of the convict. They may be of such a nature as to be impalpable and intangible, and still destroy his power for usefulness entirely, although in nowise reflecting upon his character as a gentleman, and they can never be discovered except by trial and experience.

I make these suggestions from no personal standpoint whatever, but because I am thoroughly satisfied, after mature deliberation and in the light of official experience, that in no other way can the administration of the prison be made homogeneous and satisfactory.

STATE GUARD.

The State Guard consists at present of sixteen companies of infantry and one of artillery, all composed of most excellent material, fully equipped, thoroughly drilled, and ready for effective service whenever required.

Of this I am prepared to speak to some extent from personal observation, as well as from official reports.

In consequence of the disturbed condition of affairs in Rowan County during the past summer, to which I may perhaps call your attention more at length at a later period in your session, it unfortunately became my duty to keep from seventy to ninety men of this force on active duty for several weeks. The detail consisted primarily of detachments from Company F, Second Regiment, Captain Cockerill; Company H, Second Regiment, Captain Strother, and Company E, First Regiment, Captain Smith; the last subsequently relieved from duty for a short time and its place supplied by a detachment from Company D, Second Regiment, at first commanded by Lieutenant R. D. Williams, but afterwards by Captain Veach, the whole under command of Major L. W. McKee, of the Second Regiment; and such was their promptness and celerity that two of the detachments were at the scene of the disturbance, fully prepared for duty, within twelve hours from the issual of the order calling them into active service, while the third, detained only by want of transportation, arrived the following day. It was my pleasure, as I deemed it my duty, to visit and inspect their camp repeatedly during their service, and it is a source of unfeigned gratification to me to be able to bear testimony to the efficient, cheerful, and unselfish discharge of their duties by both officers and men. With the exception of three or four instances in which individuals manifested some reluctance to observe the obligations they had voluntarily assumed, there was not a murmur of complaint nor a breach of gentlemanly decorum by a single member of the command during their entire service; but officers and men alike vied with each other in showing their fealty to the law, as well by their deportment as citizens as their conduct as soldiers.

The spirit thus exhibited, as well as the arduous service thus promptly and faithfully performed, while it illustrates the value and reliability of the organization to which they belong, has my highest commendation, and merits the thanks of every good citizen of the Commonwealth. To none, however, should be accorded a more generous measure of credit than to the accomplished officer in command for his vigilance, prudence, fidelity, and firmness.

PLEURO-PNEUMONIA.

Some time in the autumn of 1884, the insidious and highly-destructive disease known among veterinarians as contagious pleuro-pneumonia, was discovered to exist on the farm of Messrs. Frisbie & Lake, in Harrison county, among a herd of Jersey cattle then recently imported by them from the State of Illinois; and, notwithstanding it has been confined within a comparatively small compass—extending but little beyond the immediate neighborhood—it would be difficult to estimate the damage which has already resulted to the cattle interests of the Commonwealth, in consequence of the mere appearance of that dangerous and dreaded plague in our midst. The markets of nearly every State and Territory lying to the north and west of us have been closed by quarantine against the cattle, not only of the infected locality but of the entire State, entailing a loss of hundreds of thousands of dollars upon the great body of our people who are engaged in the production and sale of that species of property. In addition to this, the owners and breeders of cattle everywhere in the State are constantly menaced by the possibility of a further dissemination of the disease, not only from the point where it is known to have existed for months, but from the unguarded importation of other infected herds from neighboring States.

Should these fears be realized, the extent of the evil which may be apprehended is beyond calculation, as the lengthy incubation of the distemper favors its introduction and transportation without detection, and the virus to which it owes its origin may be conveyed long distances in human clothing, boats, cars, hay, and other things with which it comes in contact, and which may become the ready and fruitful means of its speedy and extensive diffusion. The matter is, therefore, well worthy of your serious consideration, as our statutes are entirely insufficient for such an emergency.

It is true that if a person should knowingly keep in his possession cattle infected with a contagious disease, and in such a situation or under such circumstances as to enable the contagion to be communicated to the cattle of others, he would be liable under the common law to an indictment for maintaining a nuisance, and, on conviction, to be fined and imprisoned at the discretion of the jury; and if it should be charged and found to be a continuing nuisance, the court in which the conviction is had can order its abatement by having the diseased cattle destroyed, if it can be effectually accomplished in no other way. And it is probable that had this remedy been promptly applied when it

was first ascertained that pleuro-pneumonia was permitted to exist under such circumstances in the State, the disease would have been extirpated long ago.

It has been objected however— and perhaps justly—that in view of the insidious nature of the disorder, and the facility with which it may be communicated and transported, such a remedy would be too dilatory; and especially that it would not be so apt to be resorted to as one more summary that might be provided by statute. And in this connection it has been frequently suggested that the law should be amended so as to provide for the appointment of a State Veterinarian, or Board of Commissioners, with power to determine whether the disease exists in any instance, when requested, and to take peremptory measures for the isolation or destruction of all animals found affected by it; and that the owners of all animals destroyed under the decrees of the tribunal thus established shall be paid their reasonably assessed value out of the State treasury.

To my mind, however, such a plan is open to many serious if not insuperable objections. To say nothing of the extreme hazard to the interests of the property holder in trusting such an extraordinary power to any particular man, or set of men, it would certainly afford the broadest and most convenient avenue to frauds upon the exchequer of the Commonwealth that craft could devise or cupidity desire. Enterprising, but not altogether conscientious, persons would soon be found engaged in the thrifty occupation of importing diseased cattle into the State, to be slaughtered at the expense of the Commonwealth and paid for out of the public revenues; and instances would not be infrequent in which animals would be convicted of pleuro-pneumonia, when they had never been within a hundred miles of the sphere of its contagion. But again, cattle infected with pleuro-pneumonia are *ipso facto* valueless. In a large majority of instances it is known to be fatal, and in the few which are supposed to recover, the virus may remain concealed in the system for years, and manifest itself afresh to renew its disastrous ravages at any unexpected moment. Consequently no honest man would knowingly buy them for purposes of commerce at any price, and no prudent man would take them for his own use as a gift. Besides, no good reason can be assigned why the owners of cattle should not hold them subject to all the incidents of ownership pertaining to every other variety of property—why they should not be required to keep them so as not to become a fruitful and dangerous source of injury to others, why they should not be punished if they should knowingly fail or refuse to do so, or why they should not themselves bear the loss if their

cattle should be destroyed or rendered valueless by casualty or disease. Moreover, I can conceive of no sound principle of political ethics or correct jurisprudence which requires that a person shall be paid to desist from a course of conduct which is not only seriously hurtful to those immediately around him, but extremely pernicious in its consequences upon the interests of the entire Commonwealth.

But the gravest objection of all is: that such a proposition finds no warrant in the Constitution under any just or reasonable construction of that instrument. It is not in the clause which guarantees a just compensation for property taken for public use; for, in the compulsory destruction of animals infected with a deadly and contagious disease in order to prevent its further dissemination, there is no such taking for any *use* at all, public or private, but simply the abatement of a pernicious and destructive public nuisance, which the owner has no *right* to maintain, but which it is his *duty* to abate himself, without waiting to be compelled by the coercive agencies of the law. If the owner of property thus constituting a nuisance should destroy it, whether from a prudent regard for his own interests, or from a just sense of his obligations to society, no one would pretend that he could come upon the Treasury with a claim for compensation on the ground that it had been taken for, or devoted to, the public use. When a house, itself in reasonable danger of destruction, is torn down as a necessary means of arresting the ravages of a conflagration, no one pretends to say that the owner is entitled to compensation for his loss on that account, either out of the public treasury, or the pockets of those whose property may have been thereby saved. When the instruments with which the gambler plies his vocation are seized by the sheriff or the policeman and committed to the flames, no one claims that his property has been taken for the public *use*, or complains of a violation of his constitutional rights because he is not paid for it.

As there is no principle of common justice, so there is no provision in the organic law which authorizes the legislative authority to levy an involuntary contribution upon the tax-payers of the Commonwealth to reimburse the owner of any species of property for its loss or destruction in consequence of any of the ordinary incidents of ownership. If such authority had constitutional sanction, it is easy to see to what disastrous lengths it might be carried. If the dwelling of the citizen should be consumed by fire, his mill demolished by an explosion, his store pillaged by robbers, his barn destroyed by lightning, his fencing swept away by the floods, his horses rendered valueless by glanders,

his hogs decimated by cholera, or his wages reduced or suspended by the fluctuations of commerce—all such losses might, with equal justice, be repaired by subsidies from the public treasury. Nothing would be beyond the reach of its resistless fiat, but everything subject to a limitless and sweeping agrarianism.

The Legislature seems to have acted on this view in the statutes heretofore passed in relation to cognate subjects, which provide that the owner of an animal infected with glanders shall cause it to be killed and burned at his own expense, or be fined not less than twenty nor more than one hundred dollars for a failure to do so; and also authorize a justice of the peace to have distempered cattle killed and burned at the owner's expense, if he should fail or refuse after having been ordered by the magistrate to keep them properly impounded.

There are certain grave and well ascertained facts, however, which we can not afford to ignore, namely: that the malady is of the most insidious and deadly nature; that it may at any time be readily introduced and widely disseminated without proper precautions to prevent it; that if it should once attain anything like a general or permanent footing in our State, it is liable to ruinously impair, if not utterly destroy, one of the most important industries in the Commonwealth; and that the only effectual method for its eradication is the prompt and inexorable slaughter of all animals infected by it; and the rigorous disinfection of all premises contaminated by its virus.

I would therefore recommend the enactment of a law providing in substance that any person who shall bring into, or keep within the State, any cattle, knowing them to be infected with pleuro-pneumonia, or who shall knowingly permit any such animal to go at large, or who shall transfer any such animal to another person by sale, gift or otherwise, knowing the same to be so diseased, shall be deemed guilty of a felony. And upon complaint made under oath to the judge of any County Court, that any person within his county has in his possession, or under his control, any cattle so diseased, it shall be his duty, after proper citation to the person so charged, to cause the fact to be ascertained by a jury, and if the jury shall find the facts alleged in the complaint to be true, to order the infected cattle to be forthwith killed, and burned, or buried at the expense of the owner or person having them under his control, and make such other orders as may be necessary to insure the thorough disinfection of such buildings or inclosures as may have been contaminated by the presence of the disease. Such a statute,

with proper provisions for guarding against the careless introduction of the disease into the State, by persons ignorant of its actual existence, would, in my opinion, be found entirely sufficient to protect the enormous and valuable cattle interests of the Commonwealth from this terrible and destructive scourge.

EDUCATION.

It will be seen from the careful and elaborate report of the Superintendent of Public Instruction that there has been a steady and gratifying improvement in the character and condition of the common schools throughout the State during the past two years—attributable, no doubt, in a great degree to the indefatigable zeal of that excellent and efficient officer. An unusually large number of comfortable and commodious school-houses have been erected, the per capita increased from $1.40 to $1.65, the course of study enlarged, and a higher standard of qualifications required of teachers.

The school census, white and colored, with corresponding apportionment out of the School Fund for the payment of teachers' wages for the years ending June 30, 1885, and June 30, 1886, are as follows:

Whole number of pupil children for the year ending June 30, 1885—		
White	514,167	
Colored	97,839	
Total	612,006	
Apportioned to white children, per capita $1.55		$796,958 85
Colored, per capita $1.55		151,650 45
Total		$948,609 30
Whole number of pupil children for the year ending June 30, 1886:		
White	524,274	
Colored	99,654	
Total	623,928	
Apportioned to white children, $1.65 per capita		$865,052 10
Colored, $1.65 per capita		164,429 10
Total		$1,029,481 20

It may be a matter of very just pride to the citizen of Kentucky to be able to refer to the fact that the per capita above shown is much larger than that apportioned from the Treasury of any other State

in the Union for the support of common schools, with but three exceptions; yet it must be apparent to all that $1.65 per annum to the pupil is by no means adequate to sustain anything like a competent system of education anywhere in this country. We have, however, probably reached the limit in the direction of State taxation. If the means now realized by that method are to be supplemented, it will have to be done by some system, such as has been resorted to in other States whose school funds, like our own, have not been derived from the munificence of the Federal Government.

THE STATE COLLEGE

is perhaps in a better condition in every respect than it has ever been before. It is entirely free from debt, and its material appliances for facilitating instruction constantly increasing. Large additions have been made to the chemical laboratories, the basis of a good botanical museum has been laid, and the cabinet of geological and mineralogical specimens is steadily growing. An experimental Agricultural Station has been established with close relations to the Bureau of Agriculture, at Washington, which will be devoted exclusively to experimental work for the benefit of the farmers of the State. The Staff of Instruction in the Normal School has been doubled, and will be increased as the necessities of that department may demand. The matriculation for the current year will probably reach very nearly three hundred, with class-room accommodations for a much greater number, and a corps of sixteen professors and instructors, all able and earnest men, and many of them of widely extended reputations as learned and efficient teachers.

STATE CHARITIES.

I have the honor to lay before you the reports of the Commissioners and Superintendents of the Eastern, Central, and Western Lunatic Asylums, the Kentucky Institution for the Education and Training of Feeble-minded Children, The Kentucky Institution for the Education of the Blind, and The Kentucky Institution for the Education of the Deaf and Dumb.

The whole number of the several defective classes accommodated therein during the year, as reported, was 2,550, distributed as follows:

Eastern Lunatic Asylum	686
Central Lunatic Asylum	810
Western Lunatic Asylum	675
Institution for the Feeble-minded	171
Institution for the Deaf and Dumb	131
Institution for the Blind	77
Total	2,550

The amounts drawn from the Treasury for the support of each of them during the fiscal year ending June 30, 1885, were as follows:

For Eastern Lunatic Asylum	$83,129 07
For Central Lunatic Asylum	73,177 50
For Western Lunatic Asylum	67,464 80
For Institution for Feeble-minded	29,349 65
For Institute for Deaf and Dumb	29,396 65
For Institute for Blind	14,415 00
Total	$296,932 67

In addition to this sum there was paid during the year:

For support of pauper idiots	$62,089 63
For support of lunatics in counties	9,318 15
For conveying lunatics to asylums	8,890 92
Total	$80,298 70

Making the total amount expended on account of Public Charities, $377,231.37, as I have heretofore stated.

The aggregate receipts and disbursements of the several Lunatic Asylums for the year ending September 30, 1885, were as follows:

EASTERN ASYLUM.

Receipts from State Treasury	$96,357 27
Due from State on June 30, 1885	12,840 62
Receipts from all other sources	9,548 48
Total	$118,746 37
Disbursements	$130,708 75
Deduct Receipts, as above	118,746 37
Deficit	$ 11,962 38

CENTRAL ASYLUM.

Receipts from State Treasury	$79,356 22
From all other sources	17,849 92
Total	$97,206 14
Disbursements	$96,190 72
Balance on hand	$ 1,015 42

WESTERN ASYLUM.

Receipts from State Treasury	$95,109 42
Receipts from all other sources	4,148 87
Total	$99,258 29
Disbursements	83,498 60
Balance on hand	$15,759 69

The receipts and disbursements of the Institutions for the Feeble-minded, Deaf and Dumb and Blind, were, for their last fiscal year, respectively as follows:

INSTITUTION FOR FEEBLE-MINDED.

Receipts from State Treasury	$28,075 24
From all other sources	2,283 83
Total	$30,359 07
Disbursements	28,925 25
Balance on hand	$ 1,433 82

INSTITUTION FOR DEAF AND DUMB.

WHITE DEPARTMENT.

Receipts from State Treasury	$28,604 15
Receipts from all other sources	1,123 23
Total	$29,727 38
Disbursements	29,596 12
Balance on hand	$ 131 26

COLORED DEPARTMENT.

Receipts from State Treasury	$7,417 50
Disbursements	7,262 40
Balance on hand	$ 155 10

INSTITUTION FOR THE BLIND.

Receipts from State Treasury	$17,032 62
Receipts from other sources	1,156 07
Total	$18,188 69
Disbursements	18,991 43
Deduct receipts	18,188 69
Deficit	$ 802 74

As the fiscal year of some of our eleemosynary institutions commences on the first day of October, and others on the first day of November, the figures given in the foregoing tables of course do not correspond with those exhibited for the fiscal year of the State, which begins on the first of July This lack of uniformity necessarily renders a comparison of their accounts with those of the accounting officers of the Commonwealth much more complicated and difficult than it would be if the fiscal year of all such institutions should be made to conform to that of the State. I would suggest, therefore, that the laws by which they are respectively regulated be amended so as to require their officers to make their reports as of June 30th in each year.

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There is a complaint from each of the Lunatic Asylums of a want of sufficient accommodations to meet the constantly increasing demands of that unfortunate class, and a variety of suggestions looking to their being rendered more adequate to the beneficent purpose for which they are designed.

In that connection the Superintendent of the Eastern Asylum reports that it has been found impossible to admit all who have made application for treatment, as the danger from overcrowding the insane is worse than no treatment at all, and says that the appropriation of twenty-five thousand dollars made by the last General Assembly for certain additions and improvements to asylum buildings has been found scarcely half sufficient for the work contemplated, which has been left unfinished, and the institution with no greater accommodations than before. He makes no estimate of the amount which will be required to complete the work, and says it can be done only by a thorough and practical architect, but if his views are correct it will certainly require an outlay of over twenty-five thousand dollars.

In the Central Asylum, under the admirable management of the present excellent Superintendent, many important and valuable improvements have been made, and are in progress. Additional accommodations for twenty-five patients, and more comfortable quarters for fifty others—who otherwise would have, of necessity, been turned away—have been provided in space hitherto unoccupied. This, with the accommodations completed for thirty-five in the new building authorized by the act of the last Legislature, has virtually increased the capacity of the Asylum for 110 patients, which, with the unfinished room for 113 more, will make it sufficient for 778 patients; 460 white males, 227 white females, 101 colored of both sexes. With the new building finished and furnished, which he thinks will require an additional outlay of $13,000, the Superintendent is of the opinion that this institution will be in a condition to meet all the demands upon it for several years to come.

The Western Asylum is reported in excellent condition, yet, while neither the Board of Commissioners nor the Superintendent suggests the necessity of any immediate extra appropriation out of the State Treasury to remedy it, there is the same complaint of a want of capacity for the proper accommodation, or even the admission of all who apply for treatment, clearly indicating that the time must soon arrive when the erection of additional buildings, or another asylum will be imperatively demanded, if the Commonwealth is to continue its present praiseworthy care of this, the most unfortunate, perhaps, of all its defective classes.

The management of the Institution for the Education and Training of Feeble-minded Children has been conducted with remarkable prudence and skill, and its results have surpassed the highest expectation of its most ardent advocates; especially in the astonishing proficiency which the pupils are made to attain in a great variety of the mechanic arts, as well as in the ordinary branches of a common school education. This was signally illustrated by the remarkable exhibit made by the Institution in the recent Exposition at Louisville, embracing an elegant cottage, a complete set of furniture, mattresses, shoes, brooms, mops and chairs, all made by the boys, and a handsome display of clothing and fancy work made by the girls. I must cheerfully commend to your favorable consideration the modest request of the management for several trifling appropriations for the purchase of additional land, the erection of an annex to the present building for school room and dormitory, and other things deemed necessary for the more successful conduct of the Institution, amounting in all to but $11,000.

The Institution for the Education of the Deaf and Dumb, and the Institution for the Education of the Blind have also been conducted with that commendable integrity and skill which have characterized their management for years, and I refer with pleasure to the requests of their respective Superintendents for small additional appropriations in aid of their excellent work.

STATE BOARD OF CHARITIES.

In view of the fact that there are now more than twenty-five hundred of our defective classes congregated in the six institutions above referred to; maintained by the State at an annual expense aggregating, on an average, a sum fully equal to one half that required to defray all the other ordinary expenses of the State Government; and of the further fact that those unhappy pensioners upon the public bounty are constantly increasing in number, in a ratio far in excess of the average increase in our population, thus rendering a corresponding increase in the expenditures from the State Treasury for their relief from year to year an absolute certainty, if not an actual necessity, I would respectfully suggest the propriety of your organizing some means for the more effectual protection of the interests of the Commonwealth on the one hand, and of the objects of its beneficence on the other, than can be found in our present system.

I would recommend the creation of a "State Board of Charities," such as exists in New York, Pennsylvania, Ohio, Massachusetts, Illinois,

and other States in which the care of the defective classes has received the maturest and most enlightened attention; a board required by law to visit and inspect every charitable institution in the State at frequent but irregular intervals; to examine the condition of all such institutions, financially or otherwise; to inquire into the methods of government, instruction, employment, and treatment of the inmates; the character and conduct of employes, and the official demeanor of commissioners and officers; the condition of buildings, grounds, and other property connected therewith; ascertain whether the moneys appropriated for their aid are, or have been, judiciously and economically expended; whether the objects of such institutions are being accomplished, the laws in relation thereto properly complied with, and all parts of the State equally benefited therein; to act as an advisory board to which all plans for buildings and improvements shall be submitted for suggestion or approval, and to report to the Legislature the exact condition of all such institutions, with such recommendations as it may deem advisable touching any matter coming within the purview of its official duties.

In States in which this plan has been adopted it has been the means of elevating the character and increasing the efficiency of their charities, as well as of promoting economy in their management to the extent of thousands of dollars per annum.

But there are other, and perhaps still weightier reasons for the establishment of such a board, especially when considered with reference to the management of asylums for the insane. The inmate of such an institution is seldom, if ever, there by his own volition. The State, through its organized agencies, assumes the control of his will and the direction of his conduct, for the express purpose of promoting his own good, and not to increase his misfortunes. It is, therefore, under every obligation that justice can suggest or humanity impose to afford him the fullest possible protection from cruelty or neglect. On the other hand, the officers in charge of them are not only constantly acting under grave responsibilities, and frequently at the imminent peril of their personal safety, but are usually gentlemen of the highest respectability, personally and professionally, who are, perhaps, as sensitive to unmerited censure, and who are as much entitled to be protected from calumny as any other class in the community. Yet it is well known that casualties frequently occur in such institutions, which give

rise to accusations of wilful neglect, wanton cruelty, or gross incompetency on the part of the officers or employes in charge. These should, in all instances, be promptly and impartially investigated, in order that the interests of the inmates shall be protected from further negligence or maltreatment where there is guilt, and that the reputation of the party accused shall be vindicated, if innocent. This duty can never be discharged satisfactorily to all parties by any local Board of Commissioners, no matter what may be the character of its members for intelligence, honesty, and impartiality, nor how absolutely just their finding may be. If the officer accused should be acquitted, one party will be certain to claim that it was the result of an undue bias, growing out of close and intimate personal and official relations of long standing, or an overweening desire to shield the institutions with which they are associated from an unsavory scandal, while, if he should be convicted, another, equally strong, perhaps, will as certainly attribute it to personal prejudice, resulting from something the accused may have previously said or done to displease the board.

So, in either event, popular confidence in the management must be impaired, and its capacity for usefulness, to a greater or less degree, destroyed. It is easy to see that all such difficulties would be removed in a very large degree by having all such investigations made by a board composed of members living remote from the scene of the transaction, free from any personal predilection either way, and who could not be suspected of any other motive than a sincere desire to vindicate the dignity of the Commonwealth by strict and exact justice alike to the inmates and officers of the institution.

For these, and many other reasons equally cogent, I am convinced, after mature deliberation upon the subject, that the interests of the State, as well as those of the officers and patients in our asylums, would be very greatly promoted by the establishment of a board such as I have indicated.

RAILROAD COMMISSION.

I also have the honor to submit for your consideration the report of the Board of Railroad Commissioners which will be found replete with gratifying and instructive facts, while containing many suggestions of interest and value to the general public as well as to the enlightened and conscientious legislator.

It appears from this report that there has been an increase in the railway track mileage within the State in the last two years of 191

miles, with four new and important lines under contract and in process of construction, while others of equal importance are under consideration, with a fair prospect of being commenced within the near future.

While they have evidently discharged all their duties with commendable diligence, ability and care, the Commissioners seem to have exercised extraordinary circumspection in the examination and assessment of the railroad property in the State, subject to taxation, which they estimate for the last year at $32,026,155, yielding a revenue to the Treasury of $168,137.32. And it is gratifying to note, in this connection that the litigation between the Commonwealth and certain railroad companies, involving the validity of the act authorizing the assessment of railroad property by the Board of Commissioners, which has been pending for several years, to the great embarrassment of the fiscal affairs of the government, has, at length, been determined by the Supreme Court of the United States, in favor of the constitutionality of the law, thus settling finally and conclusively the powers of the Board and the legality of the method of procedure prescribed in that particular.

Estimating the cost of railroads in Kentucky at $30,000 per mile, which they seem to consider a high average, the Commissioners compute the net earnings at nine per cent. per annum, and in the light of that fact it is not difficult to see that our State presents one of the most inviting fields that could be offered for the safe and profitable investment of capital in railroad enterprises, especially when considered in connection with the enormous sources of wealth and traffic in our midst, which only need adequate facilities for transportation for their development.

As the most satisfactory solution of the much mooted question of what should be the relative rates for "long and short hauls," which has frequently challenged attention in the Federal Congress, as well as in the State Legislatures, the Commissioners commend the plan which has been followed successfully for the last fourteen years in Massachusetts, and which prohibits railway companies from charging more for hauling the same class of freight in the same direction for a short distance than for a longer one, where the longer distance includes the shorter one.

They seem, however, to have devoted especial attention to the subject of coal transportation, and express the conclusion that it would be highly beneficial to the several railroad companies, as well as to the consumer, if an arrangement should be made establishing a uniform

rate for the transportation of coal mined within the State, and that no company should charge a greater rate for carrying coal mined upon another road, than for that mined upon its own. The impulse thus given to the production, and the increased consumption of the commodity resulting therefrom would, in their opinion, not only make up any apparent loss that might be feared by any of them, but go very far towards quieting complaints of railroad extortion among our people; and that under such an arrangement coal might be furnished to consumers at any point on a railroad within the State at a gross cost of not exceeding ten cents per bushel.

These suggestions acquire additional weight when considered in connection with a variety of instructive facts in relation to the extraordinary development of the coal interest in our State within the past few years, to be found in the

REPORT OF THE INSPECTOR OF MINES,

which I also have the pleasure of laying before you.

It will be seen by reference to that highly interesting document, that, while there were but six coal mines in operation in the State in 1870, with a total out-put of only 169,120 tons, there were in 1884, over seventy, with a product from those under the supervision of the Inspector alone of 1,550,000 tons, furnishing employment to from four to four thousand five hundred persons, at wages aggregating annually $1,500,000, and with a net annual addition to the aggregate wealth of the Commonwealth of perhaps twice that sum. And yet we have scarcely made a beginning. Coal fields underlying thousands of square miles of our territory, and containing the best qualities of fuel for all purposes to be found on the globe still remain untouched. Of the enormous amount of coal consumed in our commercial and manufacturing metropolis during the year 1884 but little over six per cent. was the product of our own mines, though it is gratifying to know that the consumption of our home product, increased during that year, over a hundred per cent. upon that of the year immediately preceding it. These facts, while they illustrate the growing importance of the coal industry in our State, show with equal clearness what may be expected from it within the next decade, with favorable facilities for getting the product of our mines to market.

And, yet, we have but a faint intimation of the future magnitude of our coal interests, or of their results upon the prosperity of the Commonwealth. Our western coal fields furnish a fuel which, for boiler heating particularly, is unequaled by any to be found elsewhere; yet,

in Union county, which is the richest in accessible coal of the entire Western field, there is but a single mine in operation from which shipments are made. The completion, however, of the Ohio Valley Railroad from DeKoven to Jackson, Tennessee, as now contemplated, will open to the mines of that and other counties along the line a direct channel to the markets of the South, and thus add greatly to the extent of this important industry in our State.

But the prospects of the southeastern fields are still more promising. I alluded in my former message to the discovery, then recently made by the Geological Survey, of a remarkable deposit of coking coal in that region. Since that time its area has been traced to an extent of fifty by twenty miles, over portions of Pike, Letcher, Harlan, Leslie, Floyd, Breathitt, Knott and Perry counties, and its quality ascertained, by actual test, to be superior to that from which the famous coke of Connellsville, Pa., is made. When it is remembered that the demand for coke for the manufacture of iron and steel is increasing every year; that for this purpose coke is frequently transported over a thousand miles by rail; that this coal is easily accessible by four railroads, now projected, and which, sooner or later, must be built; that it is nearer the center of population of the United States, and to the cities of Louisville and Cincinnati, as well as the iron ore regions of Southwestern Virginia, Western North Carolina, and Tennessee, than any other extensive deposit of similar coal yet found, and that it will supply an ore territory now practically without coal at all, some idea may be formed of the capacity of this remarkable region to contribute to the future wealth and prosperity of Kentucky. The Connellsville region was opened twenty years ago. To-day it numbers over 11,000 coking ovens, giving employment to over 6,000 persons, and yielding a product worth over $6,000,000 per annum. Why may not the coking region of our own State—in every respect vastly superior—exhibit still greater results within the twenty years to come?

GEOLOGICAL SURVEY.

The remarkable development of our coal and other mineral resources within the last few years, and the consequent conception and growth of important enterprises having a direct relation to them are due primarily to the excellent work done by the Geological Survey since the organization of that Bureau, and which it is still prosecuting with commendable zeal and the most gratifying success. As the details of its operations for the last two years will be brought to your attention in proper time, it is only necessary for me to add that an

agency which has been so prolific in munificent results to the Commonwealth, pre-eminently merits, and I trust will receive, the most liberal encouragement at your hands.

I need not suggest, in conclusion, that neither the dignity of the trust which has been reposed in you, nor the importance of the duties upon which you are about to enter, can be over-estimated. They involve the interests of a great and free people, committed to your hands by the voluntary suffrage of a generous and confiding constituency. Confident that you fully appreciate the gravity of the obligations under which you are thus placed, I tender you my cordial co-operation in every effort to discharge them in such a manner as will reflect honor upon yourselves and redound to the permanent prosperity of the Commonwealth.

J. PROCTOR KNOTT.

EXECUTIVE OFFICE,
December 31, 1885.

Mr. Smith moved the following resolution, viz:

Resolved, That so much of the Governor's message as relates to Finance, Education, Military Affairs, Geological Survey and Immigration, Charitable Institutions, Agricultural and Mechanical College, Penitentiary, Railroads, and other subjects of public interest, be referred to appropriate committees of the Senate.

Which was twice read and adopted.

Mr. Taulbee moved the following resolution, viz:

Resolved, That the Public Printer furnish each Senator with two hundred copies, properly enveloped and stamped, of the Governor's message, with the name of each Senator printed on his quota of the messages.

Which was twice read and adopted.

Mr. Boles moved the following resolution, viz:

Resolved, That the Sergeant-at-Arms of the Senate appoint for the present two pages to aid him in the discharge of his duties until rules shall have been adopted for the government of the proceedings of the Senate.

Mr. Smith, of Louisville, moved to amend said resolution by striking out the word two where it occurs therein, and inserting in lieu thereof the word "three."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and Bush, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	S. E. Hill,	D. H. Smith,
R. A. Burnett,	H. T. Kendall,	J. R. W. Smith,
W. W. Bush,	L. M. Martin,	W. H. Taulbee,
A. R. Byers,	L. W. McKee,	R. S. Triplett,
C. M. Clay, Jr.,	J. W. Ogilvie,	F. T. D. Wallace,
Henry Dixon,	F. D. Rigney,	E. L. Worthington,
W. H. Frederick,	J. T. Simon,	Robert Walker—20.
G. G. Gilbert,		

Those who voted in the negative, were—

S. H. Boles,	T. S. Grundy,	W. F. Neat,
W. J. Caudill,	J. D. Harris,	J. H. Wilson—8.
F. M. Clement,	J. H. McDanell,	

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

Mr. Gilbert moved the following resolution, viz:

Resolved, That the rules of the last Senate be, and they are adopted as the rules governing this body, until the adoption of the report of the Committee on Rules.

Which was twice read and adopted.

Mr. Smith, of Louisville, moved the following resolution, viz:

Resolved, That the Sergeant-at-Arms be directed to furnish each member of the Senate with two daily papers during the present session, to be paid for in the general appropriation bill, each member to select his own papers.

Which was twice read and adopted.

On motion of Mr. Smith, of Louisville, leave of absence, indefinitely, was granted Mr. Boles.

Mr. Frederick moved the following resolution, viz:

Resolved, That the Door-keeper of the Senate is instructed to take immediate steps for the better arrangement of the doors of the Senate Chamber for protection from draughts of wind and cold.

Which was twice read and adopted.

Mr. Grundy moved that the Senate do now adjourn until Saturday next, at 11 o'clock A. M.

Mr. Smith, of Louisville, moved that the Senate do now adjourn until Monday next, at 11 o'clock A. M.

The question was first taken on the motion made by Mr. Smith, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grundy and Simon, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Bush,	S. E. Hill,	J. R. W. Smith,
Henry Dixon,	L. W. McKee,	R. S. Triplett—8.
G. G. Gilbert,	D. H. Smith,	

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	J. N. Price,
S. H. Boles,	T. S. Grundy,	F. D. Rigney,
J. W. Bryan,	J. D. Harris,	J. T. Simon,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	L. M. Martin,	F. T. D. Wallace,
W. J. Caudill,	J. H. McDanell,	J. H. Wilson,
C. M. Clay, Jr.,	W. F. Neat,	E. L. Worthington,
F. M. Clement,	J. W. Ogilvie,	Robert Walker—24.

The question was then taken on the motion made by Mr. Grundy, and it was decided in the affirmative.

And then the Senate adjourned.

SATURDAY, JANUARY 2, 1886.

A message, in writing, was received from the Governor by Mr. Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 2, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

O. B. Grant, Jefferson county.
Wm. W. Thum, Jefferson county.
Logan G. Patton, Jefferson county.
C. B. Bagby, Jefferson county.

Frederick W. Adams, Jefferson county.
C. B. Seymour, Jefferson county.
E. J. Hefferman, Jefferson county.
Charles Franke, Jefferson county.
Chas. A. Woolfolk, Jefferson county.
Wm. Brigman, Jefferson county.
John D. Pope, Jefferson county.
D. Runyan, Fayette county.
H. C. McDowell, Fayette county.
B. G. Bruce, Fayette county.
Richard Arnspiker, Fayette county.
O. T. Bradley, Fayette county.
Jesse Woodruff, Fayette county.
D. N. Vance, Carroll county.
W. B. Pettis, Pulaski county.
J. W. Crooke, Jr., Madison county.
Henry G. Gausepohl, Kenton county.
Ben. F. Graziana, Kenton county.
A. G. Stitt, Bourbon county.
Henry Spears, Bourbon county.
E. P. Bean, Jr., Bourbon county.
R. K. Morgan, Caldwell county.
Wm. Barton, Cumberland county.
Jerome T. Moore, Butler county.
H. W. Pitt, Nelson county.
Joseph H. Hazotte, McCracken county.
Ed. L. Adkins, McCracken county.
H. Buchanan, Jr., Campbell county.
L. G. Auxier, Mason county.
G. S. Judd, Mason county.
H. G. Moorman, Graves county.
Orie Lebus, Harrison county.
H. C. Evans, Daviess county.
Charles G. Thixton, Daviess county.
Webb Johnson, Clark county.
W. B. Saffell, Anderson county.
Millard F. Garred, Lawrence county.
Thomas J. Lea, Washington county.
J. D. Mock, Boyle county.
D. D. Bell, Fayette county.

Very respectfully,
J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

On motion of Mr. Burnett, leave of absence, indefinitely, was granted Mr. Clement.

Mr. McKee read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of this State be, and he is hereby, allowed one page during the present term of the General Assembly of Kentucky, who shall receive the same pay that pages of the Senate and House of Representatives now receive, to be allowed out of the appropriation for the expenses of the present session.

Which, under the rule, lies over one day.

Mr. Martin moved the following resolution, viz:

Resolved, That the officers of the Senate, including the Speaker, during the session, be furnished by the Sergeant-at-Arms with two daily newspapers of their own selection, to be paid for out of the general appropriation fund.

Which was twice read and adopted.

Mr. Boles read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the State Geologist furnish at an early a day as practicable, for the information of this General Assembly, a detailed statement of the moneys expended by him under chapter 877 of the General Laws, passed by the General Assembly of this State at its session of 1883 and 1884, specifying under what title or head the expenditure was made.

Which, under the rule, lies over one day.

Mr. Boles read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer furnish at an early a day as practicable, for the information of this General Assembly, a detailed statement of all moneys paid to him out of the Treasury of the State for, or on account of, work or public printing done for or upon the order of the State Geologist.

Which, under the rule, lies over one day.

Mr. Price moved the following resolution, viz:

Resolved, That the Speaker of the Senate be allowed a page, to be selected by him, during the session of the Senate, and he be allowed the same pay as the other pages of the Senate.

Which was twice read and adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Dixon—

1. A bill to regulate the traffic in intoxicating liquors in this Commonwealth.

On motion of Mr. Wilson—

2. A bill to repeal an act passed by the last Legislature, establishing a toll-gate in Bell county.

On motion of same—

3. A bill to establish a criminal court in the Fifteenth Judicial District.

On motion of Mr. Boles—

4. A bill to repeal chapter 1007 of the General Laws of this Commonwealth, passed at the session of 1883 and 1884 of the General Assembly, entitled "An act to amend section six of article thirteen, chapter thirty-eight, of the General Statutes.

On motion of Mr. Rigney, the Senate adjourned until Monday morning, at 11 o'clock.

MONDAY, JANUARY 4, 1886.

In the absence of the regular Speaker, Hon. James R. Hindman, and at his request, Hon. L. M. Martin took the Chair and presided.

A message was received from the House of Representatives announcing that they had adopted a resolution which originated in the House of Representatives, entitled

Resolution raising a joint committee to inquire into the matter of committee rooms.

On motion of Mr. Burnett, the Senate took up said resolution for consideration.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of the Senate and House of Representatives, composed of two members of the Senate and three of the House, be appointed by the Speakers of the Senate and House, respectively, to confer with the Librarian, and ascertain and report what number of rooms in the Public Build-

ings are suitable and can be applied to the use of the Committees of the General Assembly; and also to ascertain and report whether other suitable and convenient rooms can be procured, and at what cost, for said purpose.

Mr. Hays moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Simon and Price, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	W. F. Neat,
S. H. Boles,	T. S. Grundy,	F. D. Rigney,
A. R. Byers,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	J. H. Wilson—12.

Those who voted in the negative, were—

M. C. Alford,	J. H. McDanell,	W. H. Taulbee,
J. W. Bryan,	J. W. Ogilvie,	R. S. Triplett,
R. A. Burnett,	J. N. Price,	F. T. D. Wallace,
W. H. Frederick,	J. T. Simon,	E. L. Worthington,
G. G. Gilbert,	D. H. Smith,	Robert Walker—16.
L. M. Martin,		

The question was then taken on concurring in the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	J. W. Ogilvie,	F. T. D. Wallace,
G. G. Gilbert,	D. H. Smith,	E. L. Worthington,
L. M. Martin,	W. H. Taulbee,	Robert Walker—11.
J. H. McDanell,	R. S. Triplett,	

Those who voted in the negative, were—

R. T. Albritton,	Henry Dixon,	W. F. Neat,
S. H. Boles,	W. H. Frederick,	J. N. Price,
J. W. Bryan,	T. S. Grundy,	F. D. Rigney,
R. A. Burnett,	R. G. Hays,	J. T. Simon,
A. R. Byers,	H. T. Kendall,	J. R. W. Smith,
W. J. Caudill,	L. W. McKee,	J. H. Wilson—18.

So said resolution was disagreed to.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 4, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

Charles H. Gibson, Jefferson county.
Edmund Rapp, Jefferson county.
John M. Stephens, Jefferson county.
Henry Knoxfel, Jefferson county.
James D. Smith, Laurel county.
H. R. French, Montgomery county.
J. M. Bent, Montgomery county.
Wm. B. Neal, Laurel county.
Joseph Thomas, Daviess county.
John H. McHenry, Daviess county.
M. L. Fugate, Logan county.
Richard K. Tarvin, Kenton county.
John F. Middleton, Shelby county.
L. L. Tiller, Gallatin county.
R. K. Hoeflich, Mason county.
Sylvester Rapier, Nelson county.
Elbridge Palmer, McCracken county.
Warren Clayton, Scott county.
James A. Thornton, Adair county.
D. J. Burr Reeve, Henderson county.
J. Geo. Ruckstuhl, Jefferson county.
W. H. Falsom, Jefferson county.
H. G. Sandifer, Boyle county.
W. C. Richardson, Boyd county.
Tim Needham, Grant county.
B. L. Banks, Adair county.

Very respectfully,
J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the House of Representatives, announcing that they had adopted a resolution which originated in the House of Representatives, entitled

Resolution to pay E. Polk Johnson for services rendered in organizing the House.

On motion of Mr. Hays, the Senate took up said resolution for consideration.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer in favor of E. Polk Johnson for the sum of one hundred dollars for services rendered in organizing the House.

The question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Caudill and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	R. G. Hays,	J. R. W. Smith,
R. A. Burnett,	L. M. Martin,	R. S. Triplett,
W. W. Bush,	J. H. McDanell,	F. T. D. Wallace,
A. R. Byers,	J. N. Price,	J. H. Wilson,
Henry Dixon,	F. D. Rigney,	E. L. Worthington,
W. H. Frederick,	J. T. Simon,	Robert Walker—21.

Those who voted in the negative, were—

W. J. Caudill,	H. T. Kendall,	J. W. Ogilvie,
G. G. Gilbert,	W. F. Neat,	W. H. Taulbee—6.

Resolved, That the title of said resolution be as aforesaid.

Mr. Simon moved the following resolution, viz:

Resolved, That the Librarian be, and she is hereby, directed to furnish to each Senator a copy of the General Statutes (83d edition), and each member of the Law Committee a copy of the Codes of Practice for their use during this session.

Which was twice read and adopted.

The Senate then took up for consideration the resolution heretofore proposed by Mr. McKee, entitled

Resolution providing page for the Governor.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of this State, provided he desires same, be, and he is hereby, allowed a messenger during the present term of the General Assembly of Kentucky, who shall receive the same pay that pages of the Senate and House of Representatives now receive, to be allowed out of the appropriation for the expenses of the present session.

Mr. Bush moved to amend said resolution by designating said proposed appointee as "messenger," instead of "page."

And the question being taken thereon, it was decided in the affirmative.

Mr. Wilson moved to amend said resolution by inserting after the words "Governor of this State" therein, the words "provided he desires the same."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Caudill and Rigney, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	L. M. Martin,	W. H. Taulbee,
W. W. Bush,	J. H. McDanell,	J. H. Wilson,
Henry Dixon,	L. W. McKee,	E. L. Worthington,
W. H. Frederick,	J. N. Price,	Robert Walker—17.
G. G. Gilbert,	J. T. Simon,	

Those who voted in the negative, were—

R. T. Albritton,	R. G. Hays,	F. D. Rigney,
S. H. Boles,	H. T. Kendall,	J. R. W. Smith,
R. A. Burnett,	W. F. Neat,	R. S. Triplett,
A. R. Byers,	J. W. Ogilvie,	F. T. D. Wallace—13.
W. J. Caudill,		

Boles moved the following resolution, viz:

Resolved, That the Commissioner of Agriculture, Horticulture, and Statistics report to this body at as early a day as practicable whether he has, as required under the law creating his Bureau, prepared a condensed statement of the present condition and capacity of the State as regards its agricultural, horticultural, mining, manufacturing, and domestic arts; the average price of lands and labor in its different sections; its traveling, exporting, and educational facilities, as also a brief view of its climate, its geographical position, and general topography. He is also requested to report whether the appropriations of two thousand dollars annually for his Bureau has been consumed, and if consumed he is requested to furnish a detailed statement of how it was consumed.

Which was twice read and adopted.

Mr. Boles moved the following resolution, viz:

Resolved, That the Auditor of Public Accounts furnish to the Senate a detailed statement of the amount of money for which he has drawn warrants on the Treasury of the State for or on account of office rent, fuel, lights, and public printing for the Bureau of Agriculture, Horticulture, and Statistics for the past two years.

Which was twice read and adopted.

The Speaker laid before the Senate a communication from the Superintendent of the Feeble-minded Institute, which was taken up and read as follows, viz:

FRANKFORT, KY., January 1, 1886.

To the Officers and Members of the Senate of Kentucky:

GENTLEMEN —You are respectfully invited to visit the Kentucky Institution for the Education and Training of Feeble-minded Children, at such time and manner as may best suit your convenience. Respectfully,

JOHN Q. A. STEWART, M. D.,
Superintendent.

Mr. Price read and laid on the table the following joint resolution, viz:

Resolved, That the Sergeant-at-Arms of the Senate and House of Representatives be required to procure eight committee rooms suitable and convenient for the use of the various committees of the Legislature.

Which, under the rule, lies over one day.

The Senate took up for consideration the resolution heretofore proposed by Mr. Boles, entitled

Resolution requiring the State Geologist to report moneys expended by him.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the State Geologist furnish at as early a day as practicable, for the information of this General Assembly, a detailed statement of the moneys expended by him under chapter 877 of the General Laws passed by the General Assembly of this State, at its session of 1883 and 1884, specifying under what title or head the expenditure was made.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The Senate took up for consideration the resolution heretofore proposed by Mr. Boles, entitled

Resolution requesting Public Printer to furnish detailed statement as to amount of money received by him from State Treasury on account of printing, &c., done for Geologist.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer furnish at as early a day as practicable, for the information of this General Assembly, a detailed statement of all moneys paid to him out of the Treasury of the State for or on account of work or public printing done for or upon the order of the State Geologist.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Taulbee—

A bill to repeal chapter of Session Acts of 1883-84, entitled "Revenue and Taxation," and to provide for a State Board of Equalization.

On motion of Mr. Simon—

A bill to change the time of holding the Pendleton Quarterly Court.

On motion of same—

A bill to authorize the Pendleton County Court to issue bonds and to provide payment for same.

On motion of same—

A bill to amend former act incorporating the town of Falmouth.

On motion of Mr. Price—

A bill for the benefit of the Carter County Court.

On motion of Mr. Walker—

A bill for the benefit of William Burr Foster, of Allen county.

On motion of same—

A bill to amend an act establishing a State Board of Health, etc.

On motion of Mr. Wallace—

A bill authorizing the Lawrence County Court of levy and claims to refund their court-house bonded indebtedness.

On motion of Mr. Bush—

A bill to suppress the sale of pistols and other deadly weapons.

On motion of Mr. Ogilvie—

A bill to prevent base-ball playing on Sunday.

On motion of Mr. Rigney—

A bill to authorize the City Council of Stanford to issue bonds to pay off all outstanding indebtedness and to provide street lamps for the city.

On motion of Mr. Dixon—

A bill to incorporate the Henderson Street Railway Company.

On motion of Mr. D. H. Smith—

A bill to amend article 1, chapter 47, General Statutes.

On motion of Mr. J. R. W. Smith—

A bill to establish a State Board of Public Charities.

On motion of same—

A bill to repeal an act, entitled "An act to amend the charter of the city of Louisville," approved May 10, 1884.

On motion of same—

An act to amend an act to incorporate the Peoples' Mutual Assurance Fund, approved April 22, 1883.

On motion of Mr. Triplett—

A bill to cede by the State of Kentucky, on certain conditions, to the National Government, Green and Barren rivers, tributaries of the Ohio river.

On motion of Mr. Gilbert—

A bill to amend section 153 of the Criminal Code, so as to permit the depositions of witnesses to be read in criminal prosecutions where witnesses reside permanently beyond the limits of the State.

On motion of Mr. Frederick—

A bill authorizing a treasurer for the county of Jefferson.

On motion of Mr. Taulbee, the Senate adjourned until to-morrow, at 11 o'clock A. M.

TUESDAY, JANUARY 5, 1886.

The Speaker announced the appointment of the following Standing Committees of the Senate for the present session, viz:

On Agriculture and Manufacturers—W. H. Frederick, Chairman; Messrs. E. R. Sparks, R. T. Albritton, W. F. Neat, and T. S. Grundy.

On Appropriations—M. C. Alford, Chairman; Messrs. J. N. Price, J. H. Wilson, C. M. Clay, Jr., and J. H. McDanell.

On Banks and Insurance—C. M. Clay, Jr., Chairman; Messrs. R. G. Hays, J. W. Bryan, A. S. Berry, and S. E. Hill.

On Charitable Institutions—W. W. Bush, Chairman; Messrs. J. R. W. Smith, F. D. Rigney, Robert Walker, M. C. Alford, John Feland, and A. R. Byers.

On Claims—J. N. Price, Chairman; Messrs. W. H. Taulbee, J. W. Ogilvie, T. S. Grundy, and W. F. Neat.

On Codes of Practice—S. H. Boles, Chairman; Messrs. J. R. W. Smith, John Feland, J. T. Simon, W. M. Cravens, L. W. McKee, and H. T. Kendall.

On Courts of Justice—S. E. Hill, Chairman; Messrs. M. C. Alford, Henry Dixon, W. H. Taulbee, W. M. Cravens, and R. G. Hays.

On Education—A. S. Berry, Chairman; Messrs. W. J. Caudill, Robert Walker, D. H. Smith, H. T. Kendall, F. T. D. Wallace, and J. H. Wilson.

On Enrollments—W. F. Neat, Chairman; Messrs. J. N. Price and W. J. Caudill.

On Executive Affairs—J. T. Simon, Chairman; Messrs. S. H. Boles, R. S. Triplett, L. M. Martin, and E. R. Sparks.

On Federal Relations—W. T. Taulbee, Chairman; Messrs. D. H. Smith, J. H. Wilson, W. M. Cravens, and John Feland.

On Finance—R. G. Hays, Chairman; Messrs. J. D. Harris, J. H. McDanell, W. W. Bush, John Feland, R. A. Burnett, and R. S. Triplett.

On General Statutes—R. A. Burnett, Chairman; Messrs. H. T. Kendall, D. H. Smith, J. T. Simon, J. H. Wilson, L. W. McKee, and F. T. D. Wallace.

On Immigration and Labor—E. R. Sparks, Chairman; Messrs. W. J. Caudill, L. W. McKee, F. M. Clement, and F. T. D. Wallace.

On Internal Improvements—J. D. Harris, Chairman; Messrs. W. H. Frederick, W. J. Caudill, J. W. Ogilvie, E. R. Sparks, A. R. Byers, and R. T. Albritton.

On Judiciary—L. M. Martin, Chairman; Messrs. S. H. Boles, J. W. Bryan, W. W. Bush, John Feland, G. G. Gilbert, and E. L. Worthington.

On Library and Public Buildings and Offices—R. S. Triplett, Chairman; Messrs. J. N. Price, F. M. Clement, C. M. Clay, Jr., A. R. Byers, L. W. McKee, and G. G. Gilbert.

On Military Affairs—L. W. McKee, Chairman; Messrs. F. D. Rigney, R. T. Albritton, F. M. Clement, and W. M. Cravens.

On Penitentiary and House of Reform—J. W. Bryan, Chairman; Messrs. R. G. Hays, G. G. Gilbert, R. A. Burnett, F. T. D. Wallace, H. T. Kendall, and J. T. Simon.

On Printing—G. G. Gilbert, Chairman; Messrs. A. S. Berry, Henry Dixon, S. E. Hill, and Robert Walker.

On Privileges and Elections—F. M. Clement, Chairman; Messrs. F. D. Rigney, A. R. Byers, R. T. Albritton, and J. W. Ogilvie.

On Propositions and Grievances—Henry Dixon, Chairman; Messrs. W. H. Frederick, W. H. Taulbee, T. S. Grundy, and E. L. Worthington.

On Public Expenditures—F. D. Rigney, Chairman; Messrs. Henry Dixon, J. R. W. Smith, W. J. Caudill, and W. F. Neat.

On Religion and Morals—J. W. Ogilvie, Chairman; Messrs. E. L. Worthington, J. H. McDanell, W. H. Taulbee, and J. D. Harris.

On Railroads—J. R. W. Smith, Chairman; Messrs. E. L. Worthington, H. T. Kendall, M. C. Alford, R. S. Triplett, W. M. Cravens, and J. D. Harris.

On Rules—The Speaker, Chairman; Messrs. R. G. Hays, W. W. Bush, R. A. Burnett, and L. M. Martin.

On Sinking Fund—T. S. Grundy, Chairman; Messrs. J. W. Bryan, J. R. W. Smith, G. G. Gilbert, and L. W. McKee.

On Public Health—Robert Walker, Chairman; Messrs. A. R. Byers, L. M. Martin, T. S. Grundy, A. S. Berry, John Feland, and C. M. Clay, Jr.

On Fish Culture—J. H. Wilson, Chairman; Messrs. D. H. Smith and J. T. Simon.

On Retrenchment and Reform—W. J. Caudill, Chairman; Messrs. S. H. Boles, W. H. Frederick, S. E. Hill, and J. H. McDanell.

Ordered, That the Public Printer be directed to print two hundred and fifty copies of the list of said Committees for the use of the Senate and House of Representatives.

A message was received from the House of Representatives, announcing that they had adopted a resolution which originated in that body, entitled

Resolution in regard to the Joint Rules of Senate and House of Representatives.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

On motion of Mr. Burnett,

Ordered, That said resolution be printed and referred to the Committee on Rules.

Mr. Taulbee moved the following resolution, viz:

Resolved, That hereafter this Senate meet at 10 o'clock A. M., and adjourn at 1 o'clock P. M.

Mr. Caudill moved to amend said resolution by striking out "1 o'clock P. M.," and inserting in lieu thereof, "when the Senate has completed the business before it."

And the question being taken thereon, it was decided in the negative.

Mr. J. R. W. Smith moved to amend said resolution by striking out "10" where it occurs therein, and inserting in lieu thereof "11."

And the question being taken thereon, it was decided in the negative.

Mr. J. R. W. Smith moved to amend said resolution by striking out "10" where it occurs therein, and inserting in lieu thereof "10:30."

Mr. D. H. Smith moved to lay said resolution and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The question was then taken upon the adoption of said resolution, as amended, and it was decided in the affirmative.

Hon. John Feland, from the Sixth Senatorial District, produced his certificate of election and took the oaths required by the Constitution and laws of the United States and the Constitution and laws of this Commonwealth, and was assigned a seat upon the floor of the Senate.

Mr. Boles presented a bill, entitled

A bill for the benefit of W. P. Sandidge, of Cumberland county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on General Statutes.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 5, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

W. S. Hogue, Jefferson county.
Jno. T. Milburn, Jefferson county.
James S. Pirtle, Jefferson county.
S. B. McGill, Jefferson county.
Wm. W. Sublette, Hickman county.
Paul King, Harrison county.
John W. Siler, Whitley county.
T. W. Carter, Marion county.
Jeremiah Davidson, Greenup county.
George V. Triplett, Franklin county.
James McAuliffe, Franklin county.
J. B. Emmal, Fayette county.
Henry Spears, Bourbon county.
George E. Muller, Montgomery county.

E. A. Fellmer, Franklin county.
Ben. Selby, Henry county.
J. M. Terry, Jefferson county.
Wm. F. Norton, Jr., Jefferson county.
Shelby Vannatta, Shelby county.
H. G. Guthrie, Fayette county.
J. B. Hart, Henderson county.
Chas. Eugene Clark, Kenton county.
R. E. Ashbrook, McCracken county.
W. W. Powell, McCracken county.
Wm. Bartman, Jr., Jefferson county.
James E. Gaither, Jefferson county.

Very respectfully,
J. PROCTOR KNOTT.

The Senate took up for consideration the resolution proposed by Mr. Price on yesterday, entitled

Resolution requiring Sergeant-at-Arms of Senate and House of Representatives to procure eight committee rooms.

Said resolution reads as follows, viz:

Resolved, That the Sergeant-at-Arms of the Senate and House of Representatives be required to procure eight committee rooms suitable and convenient for the use of the various Committees of the Legislature.

Mr. Cravens moved to amend said resolution by inserting after the words "House of Representatives," the words "and State Librarian."

And the question being taken thereon, it was decided in the affirmative.

Mr. Wilson moved to amend said resolution by inserting after the words "Committee rooms," the words "without cost to the State."

And the question being taken thereon, it was decided in the affirmative.

Mr. Berry moved to lay said resolution, as amended, on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Martin reported a bill, entitled

A bill in relation to infectious and contagious diseases of cattle.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and referred to the Committee on Public Health.

Mr. Neat, from the Committee on Enrollments, announced that Mr. M. H. Rhorer had been appointed Clerk to said Committee to act during the present session.

Whereupon, Mr. Rhorer took the oath of office prescribed by the Constitution and laws of this Commonwealth.

Mr. Hays moved to amend Senate Rule 58, by adding in the second line after the word "leave," the words "by bill."

Which proposed amendment, under the rule, lies one day on the table.

Leave was given to bring in the following bills, viz:

On motion of Mr. J. R. W. Smith—

1. A bill for the benefit of the members of the Fire Department of the city of Louisville.

On motion of Mr. Caudill—

2. A bill to form a new judicial district, composed of the counties of Clay, Leslie, Perry, Letcher, Pike, Floyd, Knott, and Breathitt.

On motion of Mr. Gilbert—

3. A bill permitting the owners of real estate to recover damages for trespass thereon, although such owner may not be in possession of the property at the time of the commission of the trespass, being an amendment to chapter 55 of the General Statutes.

On motion of Mr. Bush—

4. A bill to better punish and prevent frand and bribery in elections.

On motion of Mr. Alford—

5. A bill to permit the defendant in criminal prosecutions to testify.

On motion of Mr. Burnett—

6. A bill to amend chapter 53 of the General Statutes, entitled "Idiots and Lunatics."

On motion of Mr. Bush—

7. A bill to prevent and punish bribery in primary elections in Simpson county.

On motion of Mr. Worthington—

8. A bill, entitled "An act to amend section 8, of article 13, of chapter 38, of the General Statutes."

On motion of Mr. Berry—

9. A bill to repeal an act, entitled "An act allowing any Constable in the city of Newport to appoint one Deputy."

On motion of Mr. Worthington—

10. A bill, entitled "An act to regulate the civil jurisdiction of the Quarterly Court of Mason county."

On motion of Mr. Berry—

11. A bill to amend the charter of the city of Newport.

On motion of Mr. Wilson—

12. A bill to amend the General Statutes so that a grand jury shall consist of nine persons instead of sixteen.

On motion of same—

13. A bill to amend the General Statutes so that a petit jury shall consist of six persons instead of twelve.

On motion of Mr. Feland—

14. A bill to amend the charter of the Second Presbyterian Church, of Hopkinsville.

On motion of same—

15. A bill to incorporate the Hopkinsville Branch Railroad Company.

On motion of Mr. Triplett—

16. A bill for the benefit of the County Court of Daviess county.

On motion of same—

17. A bill to amend the charter of the public schools of Owensboro.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 3d, 4th, 6th, 7th, 8th, 10th, 12th, and 13th; the Committee on the Judiciary the 2d and 5th; the Committee on Propositions and Grievances the 9th and 11th; the Committee on Courts of Justice the 16th; the Committee on Religion and Morals the 14th; the Committee on Railroads the 15th, and the Committee on Education the 17th.

On motion of Mr. Bush, the Senate adjourned until to-morrow, at 10:30 o'clock A. M.

WEDNESDAY, JANUARY 6, 1886.

A message was received from the House of Representatives, asking leave to withdraw the announcement of the passage by the House of Representatives of a bill resolution which originated in that body, entitled

Joint rules of Senate and House of Representatives.

Which was granted, and the resolution delivered to the messenger.

On motion of Mr. Clay, Mr. McDanell was added to the Committee on Banks and Insurance.

On motion of Mr. Hays, Mr. Clay was added to the Committee on Rules.

On motion of Mr. Berry, Mr. Cravens was added to the Committee on Education.

Mr. Triplett reported a bill, entitled

A bill to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth, bordering on Green and Barren rivers, for certain purposes, etc.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and referred to the Committee on Federal Relations.

Mr. Berry moved the following resolution, viz:

Resolved, That a committee of four Senators, appointed by the Chair, together with the Speaker, nominate four persons of suitable age and experience to act as pages to the Senate for the remainder of this session, and in making such appointments they may consider the claims of those now acting, and any others as, in the judgment of said committee, may seem best.

Mr. Wilson moved to amend said resolution by inserting "three" after the word "nominate," in lieu of "four."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	W. F. Neat,
A. S. Berry,	W. H. Frederick,	J. W. Ogilvie,
S. H. Boles,	G. G. Gilbert,	J. N. Price,
J. W. Bryan,	T. S. Grundy,	F. D. Rigney,
R. A. Burnett,	J. D. Harris,	J. T. Simon,
A. R. Byers,	R. G. Hays,	D. H. Smith,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
C. M. Clay, Jr.,	L. M. Martin,	F. T. D. Wallace,
F. M. Clement,	J. H. McDanell,	E. L. Worthington,
W. M. Cravens,	L. W. McKee,	J. H. Wilson—31.
Henry Dixon,		

Those who voted in the negative, were—

S. E. Hill,	J. R. W. Smith,	R. S. Triplett—3.

Mr. Grundy moved to reconsider the vote by which the Senate had adopted said resolution.

And the question being taken thereon, it was decided in the negeative.

The yeas and nays being required thereon by Messrs. Berry and Simon, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr.,	J. D. Harris,	J. R. W. Smith,
Henry Dixon,	R. G. Hays,	F. T. D. Wallace,
W. H. Frederick,	S. E. Hill,	E. L. Worthington,
T. S. Grundy,	J. H. McDanell,	J. H. Wilson—12.

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	J. N. Price,
A. S. Berry,	W. M. Cravens,	F. D. Rigney,
S. H. Boles,	G. G. Gilbert,	J. T. Simon,
J. W. Bryan,	H. T. Kendall,	D. H. Smith,
R. A. Burnett,	L. M. Martin,	W. H. Taulbee,
W. W. Bush,	W. F. Neat,	R. S. Triplett—20.
W. J. Caudill,	J. W. Ogilvie,	

On motion of Mr. Boles, leave of absence, indefinitely, was granted Mr. Walker.

Mr. Triplett read and laid on the table a joint resolution, entitled

Resolution to investigate the management of the Paper Contractor.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

Mr. Hays read and laid on the table a joint resolution, entitled

Resolution to pay Edward Gailbreath one hundred dollars as Special Bailiff in Jefferson Circuit Court.

The rule of the Senate, requiring a joint resolution to lie one day on the table being dispensed with,

On motion of Mr. Hays, said resolution was taken up and referred to the Committee on Finance.

Mr. D. H. Smith read and laid on the table a joint resolution, entitled

Resolution directing Librarian to furnish members of General Assembly with stationery: *Provided*, They pay for same, and money to be paid into Treasury.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Simon, from the Committee on General Statutes—

A bill to change the time of holding the Pendleton Quarterly Court.

By Mr. Hill, from the Committee on Courts of Justice—

A bill for the benefit of the Carter County Court.

By Mr. Berry, from the Committee on Education—

A bill to amend the charter of the city of Newport.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Dixon reported a bill, entitled

A bill to regulate the sale of intoxicating liquors in this Commonwealth.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and referred to the Committee on General Statutes.

The Senate, according to order, took up for consideration the resolution proposed on yesterday by Mr. Hays, being an amendment to Senate Rule 58.

On motion of Mr. Hays, said resolution was referred to the Committee on Rules.

Mr. Smith, of Louisville, called up the resolution heretofore proposed by him, which reads as follows, viz:

Resolved, That the rules of the last Senate and the joint rules of the two Houses of the last General Assembly be adopted as the rules for the government of the present Senate, and that the Public Printer be directed to print and furnish two hundred copies of said rules for the use of the members and officers of the General Assembly.

Ordered, That said resolution be referred to the Committee on Rules.

On motion of Mr. Feland—

Ordered, That the meeting of the Senate be regulated by solar or city time.

Leave was given to bring in the following bills, viz:

On motion of Mr. Simon—

1. A bill to repeal an act requiring certain legal advertisement in Pendleton county, to be inserted in any paper in general circulation published in Pendleton county, approved April 24, 1880.

On motion of Mr. Taulbee—

2. A bill for the benefit of Emily F. Drain, of Magoffin county.

On motion of Mr. Boles—

3. A bill to amend the militia laws of this Commonwealth.

On motion of same—

4. A bill to repeal the law creating a Bureau of Agriculture, Horticulture and Statistics in this Commonwealth.

On motion of Mr. Byers—

5. A bill to change or repeal the present road laws of Grayson county.

On motion of Mr. Gilbert—

6. A bill to regulate the civil jurisdiction of the Quarterly Courts of this Commonwealth.

On motion of Mr. Hill—

7. A bill to regulate and equalize the jurisdiction of Quarterly, Police, and Justices' Courts in this Commonwealth.

On motion of same—

8. A bill regulating voluntary assignments for the benefit of creditors.

On motion of Mr. Martin—

9. A bill to regulate the management of turnpike roads in Robertson county.

On motion of Mr. Frederick—

10. A bill to amend the charter of the Citizens' Gas Light Company, of Louisville.

On motion of Mr. J. R. W. Smith—

11. A bill to establish a Board of Railroad Commissioners, and prescribe their powers and duties.

On motion of Mr. Boles—

12. A bill to repeal the laws of this Commonwealth creating a Railroad Commission, and to provide for the assessment of railroad property for taxation situated in this Commonwealth.

On motion of Mr. Berry—

13. A bill, entitled an act to incorporate the Kentucky Natural Gas and Fuel Company.

On motion of Mr. Worthington—

14. A bill, entitled an act to regulate continuances in criminal cases.

On motion of Mr. McKee—

15. A bill to amend sections 203 and 204 of the Criminal Code.

On motion of Mr. Frederick—

16. A bill in regard to night schools in cities of this Commonwealth.

On motion of Mr. Berry—

17. A bill to repeal an act, entitled "An act allowing any Constable in the city of Newport to appoint one Deputy."

On motion of same—

18. A bill to repeal an act to fix and define the costs to be taxed in the Mayor's Court of the city of Newport, and to provide for their collection.

On motion of Mr. Wallace—

19. A bill to amend article 4, chapter 12, of the General Statutes.

On motion of same—

20. A bill to amend chapter 62 of the General Statutes.

On motion of Mr. McKee—

21. A bill to amend chapter 15 of the General Statutes, entitled "Claims upon the Treasury," and chapter 53 of the General Statutes, entitled "Idiots and Lunatics," so that the costs of maintaining pauper idiots and lunatics shall be paid by the respective counties to which they belong, instead of by the State of Kentucky.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 19th, 20th, and 21st; the Committee on Claims the 2d; the Committee on Military Affairs the 3d; the Committee on Retrenchment and Reform the 4th; the Committee on Internal Improvements the 5th; the Committee on Courts of Justice the 6th, 7th, 8th, 10th, and 18th; the Committee on the Judiciary the 9th, 13th, and 14th; the Committee on Railroads the 11th and 12th; the Committee on Education the 16th; the Committee on Codes of Practice the 15th, and the Committee on Propositions and Grievances the 17th.

On motion of Mr. Simon, the Senate adjourned until to-morrow morning at 11 o'clock.

THURSDAY, JANUARY 7, 1886.

A message was received from the House of Representatives, announcing that they had adopted resolutions which originated in the House of Representatives of the following titles, viz:

1. Resolution raising a joint committee to consider the revenue laws of this Commonwealth.
2. Joint Rules of Senate and House of Representatives.
3. Resolution providing for the election of a State Librarian.
4. Resolution raising a special joint committee to consider the question of calling a Constitutional Convention.
5. Resolution concerning the employment of a carpenter for the two Houses.
6. Joint resolution in regard to the death of Hon. Thomas A. Hendricks, late Vice-President of the United States.

Which resolutions were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said resolutions being dispensed with, thay were referred—the 1st to the Committee on Finance; the 2d to the Committee on Rules; the 3d to the Committee on Privileges and Elections; the 4th to the Committee on Propositions and Grievances; the 5th to the Committee on Library and Public Buildings, and the 6th to the Committee on Federal Relations.

A message in writing was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 7, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

S. P. Young, Boyle county.
J. A. Cheek, Boyle county.
J. F. Tarpley, Simpson county.
James G. Branstetter, Metcalfe county.

F. H. Almstedt, Jefferson county.
B. K. Marshall, Jefferson county.
Harry B. Fitch, Jefferson county.
Walker Richardson, Jefferson county.
R. W. Meredith, Jefferson county.
J. M. Borntraeger, Jefferson county.
Joseph Levi, Jefferson county.
Ben. F. Atchison, Jefferson county.
S. A. Russell, Marion county
Sam. B. Bottom, Marion county.
C. K. White, Nelson county.
William Johnson, Nelson county.
H. S. Irvin, Jefferson county.
James B. Blackburn, Powell county.
Julius Friedman, McCracken county.
James G. Caldwell, Jefferson county.
Morton V. Joyes, Jefferson county.
William Edmunds, Jefferson county.
Frank B. Stouffer, Jefferson county.
August Straus, Jefferson county.
Charles A. Garcin, Jefferson county.
Dudley Mulliken, Jefferson county.
M. A. Moore, Whitley county.
Robert J. Juper, Laurel county.
T. M. Dora, Mason county.
William H. Stites, Henderson county.
Russell Mann, Bourbon county.
J. Lee Furguson, Pike county.
Jonathan J. Woodford, Pike county.
J. O. Russell, Adair county.
S. A. Gaun, Russell county.
J. A. H. Keerans, Fleming county.

Very respectfully,
J. PROCTOR KNOTT.

Mr. Gilbert reported a bill, entitled

A bill to strike out and repeal part of an act, entitled "An act to amend an act to incorporate the Cumberland and Ohio Railroad Company," approved March 11, 1873.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. J. R. W. Smith,

Ordered, That said bill be referred to the Committee on Railroads, with directions to report to-morrow morning.

Mr. Bush reported a bill, entitled

A bill to legalize the election of Mayor and Councilmen of the town of Franklin, Kentucky.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hays—

1. A bill equalizing the cost of keeping in repair, between the property owners immediately on the line and the county of Jefferson, of what is known as the West End Turnpike Road.

On motion of same—

2. A bill to amend the charter of the Louisville Southern Railroad.

Ordered, That the Committee on Internal Improvements prepare and bring in the first and the Committee on Railroads the second.

Mr. Clay moved the following resolution, viz:

WHEREAS, The Senate having authorized by resolution the Sergeant-at-Arms to appoint three pages for service in this body, and the Sergeant-at-Arms having in good faith executed said order, and the pages so appointed having reasonably assumed that they would hold their offices during good behavior, and thereupon having made their arrangements and dispositions to remain in Frankfort during the session; and, whereas, the resolution of yesterday, providing for the appointment of a committee to select three pages tends to weaken the authority of the Sergeant-at-Arms, who is immediately responsible to the Senate for the efficiency and good conduct of his subordinates, and is unjust to the pages already appointed,

Therefore be it resolved by the Senate, That the said resolution for the appointment of a committee to select pages be rescinded and vacated, and that the original order of the Senate, which has been already executed by the Sergeant-at-Arms, be in full force and effect.

Mr. Berry moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	J. W. Ogilvie,
A. S. Berry,	R. G. Hays,	J. N. Price,
S. H. Boles,	H. T. Kendall,	F. D. Rigney,
J. W. Bryan,	L. M. Martin,	J. T. Simon,
R. A. Burnett,	W. F. Neat,	W. H. Taulbee—61.
W. J. Caudill,		

Those who voted in the negative, were—

M. C. Alford,	G. G. Gilbert,	D. H. Smith,
W. W. Bush,	T. S. Grundy,	J. R. W. Smith,
A. R. Byers,	J. D. Harris,	R. S. Triplett,
C. M. Clay, Sr.,	S. E. Hill,	F. T. D. Wallace,
F. M. Clement,	J. H. McDanell,	E. L. Worthington,
John Feland,	L. W. McKee,	J. H. Wilson—19.
W. H. Frederick,		

Mr. Clay moved the previous question.

And the question being taken "shall the main question be now put?" it was decided in the affirmative.

Mr. Berry moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Boles, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	W. F. Neat,
S. H. Boles,	H. T. Kendall,	J. N. Price,
J. W. Bryan,	L. M. Martin,	J. T. Simon—10.
Henry Dixon,		

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	F. D. Rigney,
M. C. Alford,	G. G. Gilbert,	D. H. Smith,
R. A. Burnett,	T. S. Grundy,	J. R. W. Smith,
W. W. Bush,	J. D. Harris,	W. H. Taulbee,
A. R. Byers,	S. E. Hill,	R. S. Triplett,
W. J. Caudill,	J. H. McDanell,	F. T. D. Wallace,
C. M. Clay, Jr.,	L. W. McKee,	J. H. Wilson,
F. M. Clement,	J. W. Ogilvie,	Robert Walker—25.
John Feland,		

The question was then taken on the adoption of said resolution, and it was decided in the affirmative by the casting vote of Hon. James R. Hindman, Lieutenant Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Berry and Boles, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	D. H. Smith,
W. W. Bush,	T. S. Grundy,	J. R. W. Smith,
A. R. Byers,	J. D. Harris,	F. T. D. Wallace,
C. M. Clay, Jr.,	S. E. Hill,	E. L. Worthington,
F. M. Clement,	J. H. McDanell,	R. S. Triplett,.
John Feland,	L. W. McKee,	J. R. Hindman—19.
W. H. Frederick,		

Those who voted in the negative, were—

R. T. Albritton,	W. M. Cravens,	J. W. Ogilvie,
A. S. Berry,	Henry Dixon,	J. N. Price,
S. H. Boles,	R. G. Hays,	F. D. Rigney,
J. W. Bryan,	H. T. Kendall,	J. T. Simon,
R. A. Burnett,	L. M. Martin,	W. H. Taulbee,
W. J. Caudill,	W. F. Neat,	J. H. Wilson—18.

Mr. Clay moved to reconsider the vote by which the Senate adopted said resolution.

Mr. J. R. W. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative by the casting vote of Hon. James R. Hindman, Lieutenant Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Berry and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	D. H. Smith,
W. W. Bush,	T. S. Grundy,	J. R. W. Smith,
A. R. Byers,	J. D. Harris,	R. S. Triplett,
C. M. Clay, Jr.,	S. E. Hill,	E. L. Worthington,
John Feland,	J. H. McDanell,	F. T. D. Wallace—17.
W. H. Frederick,	L. W. McKee,	

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	J. W. Ogilvie,
A. S. Berry,	Henry Dixon,	J. N. Price,

S. H. Boles,	R. G. Hays,	F. D. Rigney,
J. W. Bryan,	H. T. Kendall,	J. T. Simon,
R. A. Burnett,	L. M. Martin,	W. H. Taublee,
W. J. Caudill,	W. F. Neat,	J. R. Hindman—16.

The question then recurred on the motion made by Mr. Clay to reconsider the vote by which the Senate had adopted said resolution.

Pending the further consideration of which, the hour of one o'clock P. M. having arrived, the Senate adjourned.

THURSDAY, JANUARY 8, 1886.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was recommitted a bill, entitled

An act to strike out and repeal part of an act to amend an act to incorporate the Cumberland and Ohio Railroad Company, approved March 11, 1873,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Bryan, Mr. Harris was added to the Committee on Penitentiary and House of Reform.

Mr. Price moved to reconsider the vote by which the Senate had passed a bill, entitled

An act for the benefit of the Carter County Court.

Which motion was simply entered.

Mr. Rigney read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be, and he is hereby,

instructed and required to inform this General Assembly at his earliest convenience the number of notaries public commissioned by the Governor from and after the 5th Tuesday succeeding the first Monday in August, 1883, to this date; also the amount of any and all fees of whatever nature or kind received by the Assistant Secretary during the time aforesaid.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and adopted.

Mr. Hays, from the Committee on Finance, to whom had been referred a joint resolution from the House of Representatives, entitled

Resolution raising a joint committee to consider the revenue laws of this Commonwealth,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Taulbee, from the Committee on Federal Relations, to whom had been referred a joint resolution from the House of Representatives, entitled

Joint resolution in regard to the death of Hon. Thomas A. Hendricks, late Vice-President of the United States,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Feland reported a bill, entitled

A bill to enable certain counties, parts of counties, cities, and towns in this Commonwealth to settle and fund their outstanding debts.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Feland,

Ordered, That said bill be printed and referred to the Committee on the Judiciary.

Mr. Taulbee read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Adjutant General be, and he is hereby,

instructed to fire a national salute from Arsenal Hill at 12 M., in honor of the American victory at New Orleans.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and adopted.

Mr. J. R. W. Smith reported a bill, entitled

A bill to establish a Board of Railroad Commissioners and describe their powers and duties.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. J. R. W. Smith,

Ordered, That said bill be printed and referred to the Committee on Railroads.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same:

By Mr. Wilson, from the Committee on General Statutes—

A bill to repeal an act, entitled "An act to establish a toll-gate on the Wilderness turnpike road, in Bell county."

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Washington County Railroad District, and to define the premises, privileges, and duties of the same," approved March 12, 1884.

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill to amend the charter of the Second Presbyterian Church, of Hopkinsville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Frederick presented the memorial of Mexican war veterans and other citizens, asking the passage of an act to incorporate the American Mutual Benefit Association of Mexican War Veterans.

Which was read and referred to the Committee on Military Affairs.

Mr. Burnett read and laid on the table the following joint resolution, viz:

A resolution fixing the pay of the officers of the General Assembly as provided by act of April 8, 1880.

Said resolution reads as follows, viz:

WHEREAS, By an act of the Legislature, approved April 8, 1880, and now in force, the pay of some of the elective and appointed officers of the Senate and House of Representatives is fixed; and, whereas, the said law has been heretofore disregarded, and it being just and proper that the officers mentioned in said act should be apprised at an early day what pay they are to receive for their services, respectively, during this session, so that they may draw same accordingly; therefore

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the pay of the said officers, as fixed by the said act of 8th of April, 1880, is just, reasonable, and adequate for their respective services, and that same be paid accordingly, as provided by law; *and be it further resolved*, That the Doorkeepers of the Senate and House of Representatives shall each receive five dollars per day for their services during the session, to be paid as provided by law.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Mr. D. H. Smith moved that said resolution be referred to the Committee on Appropriations.

And the question being taken thereon, it was decided in the negative.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution which originated in the House of Representatives, entitled

Resolution to pay E. Polk Johnson for services rendered in organizing the House,

And had found the same truly enrolled.

Said resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Wilson moved the following resolution, viz:

Resolved, That the Judiciary Committee be, and the same is hereby, directed to report to this Senate as early as possible whether in their opinion it would be unconstitutional to reduce the number of persons composing a grand jury below sixteen, as now required, and a petit jury in civil or criminal trials below twelve.

Which was twice read and adopted.

Mr. Berry moved the following resolution, viz:

Resolved, That the Committee on Health be instructed to report on the advisability of opening two ventilators in the ceiling of the Senate Chamber to purify its atmosphere.

Which was twice read and adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bryan—

1. A bill to amend section 327, chapter 2, title 9, Civil Code of Practice.

On motion of Mr. Ogilvie—

2. A bill to amend the exemption laws of this Commonwealth.

On motion of Mr. Albritton—

3. A bill to amend and reduce into one the several acts respecting the town of Fulton, in Fulton county, Kentucky.

On motion of same—

4. A bill to legalize an election held in the school district in Fulton, Fulton county, Kentucky, on the first Saturday in May, 1884.

On motion of Mr. Harris—

5. A bill providing for co-operation with the General Government in arresting and extirpating the cattle plague, known as "pleuro-pneumonia."

On motion of Mr. Hays—

6. A bill to amend chapter 84 of the General Statutes, entitled "Peddling."

On motion of Mr. Burnett—

7. A bill for the benefit of John W. Clark, administrator of Joseph W. Oliver, deceased, late Sheriff of Lyon county.

On motion of Mr. Alford—

8. A bill providing for the establishment of the whipping-post for the punishment of wife-beaters.

On motion of Mr. Simon—

9. A bill to amend subsection 3, of section 337, of the Civil Code of Practice.

On motion of Mr. J. R. W. Smith—

10. A bill to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors in Springdale precinct of Jefferson county," approved April 15, 1884.

On motion of Mr. Harris—

11. A bill providing for the incorporation of the Kingston School Joint Stock Company.

On motion of Mr. Cravens—

12. A bill to incorporate the Charleston, Kentucky and Western Railway Company.

On motion of Mr. Feland—

13. A bill to enable certain counties, parts of counties, cities, and towns in this Commonwealth to settle and fund their outstanding debts.

On motion of Mr. Berry—

14. A bill, entitled "An act to incorporate the Masonic Temple Association of Newport," approved March 29, 1880.

On motion of Mr. Price—

15. A bill for the benefit of the Cowan Station and Licking Valley Turnpike Road.

On motion of Mr. Kendall—

16. A bill to amend section 203, article 4, chapter 6, of the Criminal Code of Practice.

Ordered, That the Committee on Codes of Practice bring in the 1st, 9th, and 16th; the Committee on General Statutes the 2d, 6th, 7th, 8th, and 10th; the Committee on Internal Im-

provements the 3d and 15th; the Committee on Education the 4th, 11th, and 14th; the Committee on Public Health the 5th; the Committee on Railroads the 12th, and the Committee on the Judiciary the 13th.

On motion, the Senate adjourned.

SATURDAY, JANUARY 9, 1886.

Mr. Alford moved to dispense with the reading of the Journal of yesterday.

And the question being taken thereon, it was decided in the negative.

The said Journal was then read and approved.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of resolutions, and passed a bill which originated in the Senate of the following titles, viz:

Resolution requiring the State Geologist to report moneys expended by him.

Resolution requesting Public Printer to furnish detailed statement as to amount of money received by him from State Treasury on account of printing, etc., done for Geologist.

An act to legalize the election of Mayor and Councilmen of the town of Franklin.

With an amendment to each of said resolutions.

That they had passed bills of the following titles, viz:

1. An act to amend and continue in force the charter of the Breckinridge Bank, at Cloverport, in Breckinridge county.

2. An act to repeal an act, entitled "An act to enlarge and define the duties, authority, and powers of the Commissioners for the Court-house District, in Campbell county.

3. An act to amend an act, entitled "An act to authorize the

Clark County Court to issue bonds for certain purposes," approved April 29, 1884.

4. An act to amend an act authorizing the Johnson County Court of Claims to levy and collect an ad valorem tax.

5. An act regulating the jurisdiction of Justices of the Peace of Floyd and Johnson counties.

6. An act to incorporate the Peoples' Bank, of Adairville.

7. An act to create the office of County Treasurer of Meade county.

8. An act authorizing the County Levy Court of Meade county to levy an additional ad valorem tax.

9. An act authorizing the County Court of Meade county to issue bonds to pay the indebtedness of said county.

10. An act to legalize the orders of the Oldham County Court of Claims, made at its regular terms in May, 1883, and May, 1884.

11. An act to incorporate the town of Eubanks, in Pulaski county.

12. An act authorizing the County Court of Martin county to levy an ad valorem tax in said county.

13. An act to repeal an act to increase the jurisdiction of the Police Judge of the town of Pikeville.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 6th to the Committee on Banks and Insurance; the 2d, 4th, 5th, 8th, 9th, 10th, 12th, and 13th to the Committee on Courts of Justice; the 3d to the Committee on Finance; the 7th to the Committee on the Judiciary, and the 11th to the Committee on General Statutes.

Mr. Clement, from the Committee on Privileges and Elections, to whom had been referred a resolution from the House of Representatives, entitled

Resolution providing for the election of a State Librarian,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Boles moved the following resolution, viz:

Resolved, That the Board of Commissioners, created by chapter 1346 of the acts of this General Assembly, passed at its session of 1883 and 1884, entitled "An act to aid in developing the agricultural and mineral resources of Kentucky," and to that end to provide for an exhibit thereof at the Southern Exposition, at Louisville, Kentucky, and at the World's Industrial and Cotton Centennial Exposition, at New Orleans, Louisiana, report to this body at as early a day as practicable: 1st, how the ten thousand dollars appropriated by that act for the collection and exhibition of the agricultural and mineral products and cattle and other stock of the State of Kentucky at the exposition at Louisville was expended, giving a detailed statement and specification of the manner in which said money was expended. Said Commissioners will, in like manner, furnish a similar statement as to how the $2,500 appropriated for the removal and exhibit, at New Orleans, of Kentucky products; in short, said Commissioners are required to furnish and exhibit a record of the sums for which it issued certificates, to whom issued, and for what issued, as required by the act creating them, and making the appropriations aforesaid.

Which was twice read and adopted.

Mr. D. H. Smith read and laid on the table the following joint resolution, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That a Revenue Commission be, and the same is hereby, created.

2. Said Commission shall be composed of two members of the Senate, whose terms of office do not expire until after the next biennial session of the General Assembly of the Commonwealth of Kentucky, and the Auditor of Public Accounts.

3. The Speaker of the Senate shall appoint the two members of the Senate to serve on said Commission, both of whom shall be familiar with the revenue system of Kentucky, and at least one of whom shall be learned in the laws of the land.

4. Said Commission shall make full examinations of the revenue system and laws of any State or States they may deem proper, and devise and mature a more perfect system of revenue laws for the Commonwealth than at present exists; and said Commission shall be entitled to the opinion of the Attorney General upon all questions of law arising in the progress of their labors, and it is hereby made the duty of the Attorney General to render his opinion in writing to said Commission whenever he is called upon therefor.

5. Said Commission shall report by bill to the next General Assembly of this Commonwealth.

Which, under the rule, lies over one day.

Mr. D. H. Smith moved to suspend the rule in order to take up said resolution for consideration.

And the question being taken thereon, it was decided in the negative.

So said resolution falls in the orders of the day.

Mr. Wilson read and laid on the table the following joint resolution, viz:

WHEREAS, The working of penitentiary convicts in coal mines at various points in this State under an act of the Legislature, approved May 10, 1884, entitled "An act to amend an act, entitled 'An act to provide for the relief of the penitentiary,'" approved May 3, 1880, is of doubtful propriety, as it brings convicts in competition with skilled labor, and tends to break up and scatter communities of miners and impoverish their families; and, whereas, it is rumored that convicts working in said mines have been and now are subjected to inhuman and excessive punishment, and have been maltreated and improperly cared for, contrary to the provisions of section 9 of said act of May 3, 1880, which provides that "Any person who shall employ convicts under the provisions of said act, who shall or neglect to properly care for, furnish with sufficient and wholesome food, including an ample amount of vegetable diet, or shall fail to provide suitable and comfortable clothing, or who shall maltreat or inflict inhuman or excessive punishment, or shall fail or neglect to provide comfortable shelter and lodgement, or proper medical treatment, shall, in addition to having his contract subject to recission by the Board, be deemed guilty of a misdemeanor;" therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee, to consist of four Senators and eight Representatives, to be appointed by the Speaker of each House of this General Assembly, who are hereby directed to appoint same, is hereby vested with all necessary power to investigate and report upon the following subjects, viz:

1. Whether any of the provisions of section 9 of said act of May 3, 1880, have in any manner whatever, and to what extent and by whom, been violated, and particularly shall the report show the nature and extent of the punishment inflicted upon any of said convicts by those having control of them.

2. In what mines convicts have been employed under act of May 10, 1884, by whom employed, the names of the convicts employed, duration of employment, and the names of the counties from which said convicts were respectively sent to the penitentiary.

3. The stipulations of all contracts made by the Sinking Fund Commissioners leasing convicts since May 10, 1884, and

with whom said contracts were made, and whether any of the contractors leasing convicts have sub-leased or hired convicts to other persons or corporations.

4. Whether section 12 of said act of May 3, 1880, has been violated; and, if so, by whom and in what respect. And to enable said committee to perform the duties hereinbefore named, the same may be divided into as many sub-committees as may be deemed necessary, and the chairman of said committee or of any sub-committee thereof shall have full and complete power to summon, enforce the attendance, and swear witnesses, including convicts, examine and transcribe records, and to direct subpœnas to any officer of this Commonwealth authorized to summons witnesses, which officer shall execute same, and to visit any point in this Commonwealth deemed necessary. And the report herein required shall be made as early as possible after said committee shall have been appointed.

Which, under the rule, lies over one day.

Mr. Wilson then moved to dispense with the rule of the Senate requiring said resolution to lie over one day.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Kendall, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	J. T. Simon,
S. H. Boles,	S. E. Hill,	D. H. Smith,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	L. M. Martin,	R. S. Triplett,
W. J. Caudill,	J. H. McDanell,	F. T. D. Wallace,
C. M. Clay, Jr.,	W. F. Neat,	E. L. Worthington,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—22.
Henry Dixon,		

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	L. W. McKee,
A. S. Berry,	G. G. Gilbert,	J. N. Price,
J. W. Bryan,	J. D. Harris,	J. R. W. Smith—9.

Mr. Gilbert moved to amend said resolution by striking out the preamble thereof.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Boles, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	Henry Dixon,	L. M. Martin,
A. S. Berry,	W. H. Frederick,	L. W. McKee,
J. W. Bryan,	G. G. Gilbert,	J. T. Simon,
C. M. Clay, Jr.,	J. D. Harris,	D. H. Smith—12.

Those who voted in the negative, were—

R. T. Albritton,	T. S. Grundy,	J. R. W. Smith,
S. H. Boles,	S. E. Hill,	W. H. Taulbee,
R. A. Burnett,	H. T. Kendall,	R. S. Triplett,
A. R. Byers,	J. H. McDanell,	F. T. D. Wallace,
W. J. Caudill,	W. F. Neat,	E. L. Worthington,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—20.
W. M. Cravens,	F. D. Rigney,	

Mr. Martin then moved that said resolution be referred to the Committee on Penitentiary and House of Reform, with instructions to report thereon on Tuesday next, the 12th inst., at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. N. Price,
S. H. Boles,	G. G. Gilbert,	F. D. Rigney,
J. W. Bryan,	T. S. Grundy,	J. T. Simon,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	L. M. Martin,	R. S. Triplett,
F. M. Clement,	L. W. McKee,	E. L. Worthington,
W. M. Cravens,	W. F. Neat,	F. T. D. Wallace—26.
Henry Dixon,	J. W. Ogilvie,	

Those who voted in the negative, were—

R. G. Hays,	J. H. Wilson—2.

Mr. Taulbee, from the Committee on Federal Relations, to whom had been recommitted a bill which originated in the Senate, entitled

An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth, bordering on Green and Barren rivers,

Reported the same without amendment.

Pending the consideration of said bill, the hour of 12 o'clock M. having arrived, further action thereon was cut off by the orders of the day.

Mr. Hill then moved to suspend the rule of the Senate, to proceed with the consideration of the bill now under discussion.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. D. H. Smith,

Ordered, That the further consideration of said bill be post poned and made the special order of the day for Thursday next, the 14th inst., at 11 o'clock A. M.

The Senate took up for consideration a resolution heretofore proposed by Mr. Clay, which reads as follows, viz:

WHEREAS, The Senate having authorized by resolution the Sergeant-at-Arms to appoint three pages for service in this body, and the Sergeant-at-Arms having in good faith executed said order, and the pages so appointed having reasonably assumed that they would hold their offices during good behavior, and thereupon having made their arrangements and dispositions to remain in Frankfort during the session; and, whereas, the resolution of yesterday, providing for the appointment of a committee to select three pages, tends to weaken the authority of the Sergeant-at-Arms, who is immediately responsible to the Senate for the efficiency and good conduct of his subordinates, and is unjust to the pages already appointed,

Therefore be it resolved by the Senate, That the said resolution for the appointment of a committee to select pages be rescinded and vacated, and that the original order of the Senate, which has been already executed by the Sergeant-at-Arms, be in full force and effect.

The question pending being upon the motion heretofore made by Mr. Clay to reconsider the vote by which the Senate had adopted said resolution,

Mr. Clay then moved the previous question.

And the question being taken, "shall the main question be now ordered?" it was decided in the affirmative.

The question was then taken on reconsidering the vote by which the Senate had adopted said resolution, and it was decided in the negative.

On motion of Mr. Martin, leave of absence, indefinitely, was granted Messrs. Feland and Triplett.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 9, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

George W. Didlake, Fayette county.
Lewis Solomon, Jefferson county.
William W. Morris, Jefferson county.
Charles O. Hoffman, Jefferson county.
Bradley Coffman, Logan county.
Virginia Spencer, Green county.
B. M. Arnett, Jessamine county.
William L. Kingery, Metcalfe county.
John O. Street, Todd county.
J. W. Allen, Bath county.
I. A. Spalding, Union county.
Andrew Gernlein, Jr., Jefferson county.
Robert L. Green, Franklin county.

Very respectfully,
J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Triplett, from the Committee on Library and Public Buildings and Offices, to whom was referred a resolution which originated in the House of Representatives, entitled

Resolution concerning the employment of a carpenter for the two Houses,

Reported the same without amendment.

And the question being taken upon concurring in the adoption of said resolution, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Berry, from the Committee on Education—

A bill to legalize an election held in the school district of the

town of Fulton, Fulton county, Kentucky, on the first Saturday in May, 1884.

By Mr. Hays, from the Committee on Finance—

A bill to amend an act authorizing Lawrence County Court to issue bonds.

By Mr. Harris, from the Committee on Internal Improvements—

A bill to repeal chapter 1430, Local and Private Acts, 1883–4.

By Mr. Berry, from the Committee on Education—

A bill to amend an act, entitled "An act to incorporate the Masonic Temple Association of Newport," approved March 29, 1880.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

The last named bill was referred to the Committee on the Judiciary, and all the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bills do pass, and that the title thereof be as aforesaid.

Mr. Gilbert moved the following resolution, viz:

A resolution requiring the Committee on Printing to report as early as practicable what sums have been paid for paper and other stationery by the State, for the use of the Public Printer for the years 1882, '83, '84, and '85, and by whom and with said contracts have been made; also what irregularities, if any exist, and what legislation, if any is needed, upon this subject.

Which was adopted.

Mr. Burnett read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That this General Assembly will, on Thursday, the 14th day of January, 1886, at 12 o'clock M., in Joint Assembly,

in the Hall of the House of Representatives, proceed to the election of a Librarian and a Public Printer and Binder for the Commonwealth of Kentucky.

And the question being taken upon the adoption of said resolution, it was decided in the affirmative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Caudill—

1. A bill to amend an act, entitled "An act to amend and reform the common school laws of this Commonwealth," approved May 12, 1884.

On motion of Mr. Clay—

2. A bill to incorporate the Citizens' Bank.

On motion of Mr. J. R. W. Smith—

3. A bill to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved March 3, 1870; approved January 26, 1882.

On motion of Mr. Bryan—

4. A bill providing for the recording of writs of attachment in certain cases.

On motion of Mr. Taulbee—

5. A bill for the benefit of I. C. Johnson, of Wolfe county.

On motion of Mr. Neat—

6. A bill to amend article 5, chapter 92, of the General Statutes, title "Revenue and Taxation."

On motion of Mr. Martin—

7. A bill to incorporate the Union Benevolent Society, of Cynthiana.

On motion of Mr. Clement—

8. A bill to amend an act, entitled "An act to establish a high school in Dixon, in the county of Webster," approved March 13, 1882.

On motion of same—

9. A bill for the benefit of Jesse L. Hall, a minor.

On motion of Mr. Simon—

10. A bill to amend the laws regulating appeals from Justices and Quarterly Courts in this Commonwealth.

On motion of Mr. Hill—

11. A bill to amend article 5, chapter 28, General Statutes, title "Courts."

Ordered, That the Committee on Education prepare and bring in the 1st and 8th; the Committee on Banks and Insurance the 2d; the Committee on General Statutes the 3d, 4th, and 10th; the Committee on Claims the 5th; the Committee on Finance the 6th; the Committee on Executive Affairs the 7th, and the Committee on Courts of Justice the 9th and 11th.

On motion, the Senate adjourned until Monday, at 11 o'clock A. M.

MONDAY, JANUARY 11, 1886.

The Journal of Saturday, the 9th inst., was read and approved.

A message was received from the House of Representatives, announcing that they had passed a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Paducah Electric Light and Heating Company," approved March 20, 1880.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on the Judiciary.

Mr. Gilbert read and laid on the table a joint resolution, entitled

Resolution raising a joint committee to ascertain and report the condition of the accounts of the State Auditor and Treasurer.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up and read as follows, viz:

WHEREAS, The laws of this State require the General Assembly, at every regular session thereof, to appoint a committee

composed of members from both Houses, and to be appointed within ten days after the organization of the same, whose duty it shall be personally to examine into the state of the Treasury; to examine all papers or vouchers upon which money has been paid for each of the preceding two years; ascertain the amount of money paid into and paid out of the Treasury, and the amount of public money on hand, and to notice the misappropriation or perversion of any of the public funds by the Treasurer or others; and, whereas, it is made the duty of such committee to examine the books, office, and accounts of the Auditor, and in said examination to carefully note without deficiency all the Treasurer's receipts, and report the facts fully and truly to each House of the General Assembly for publication; and, whereas, no such committee has yet been appointed upon the part of the Senate; therefore

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Speaker of this body be, and he is hereby, requested to appoint a committee of two Senators to act in connection with a like committee of three Representatives, to be appointed by the Speaker of the House of Representatives, to ascertain and report the condition of the accounts of the Treasurer and Auditor as set out in the preamble, and as required by law, and they may send for persons and papers and take such testimony as they may deem proper in the performance of their duties.

The question was then taken upon the adoption of said resolution, and it was decided in the affirmative.

On motion of Mr. Caudill, leave of absence, indefinitely, was granted Messrs. Wilson and Hays.

Mr. Caudill, from the Committee on Enrollments, reported that the Committee on Enrollments had examined an enrolled bill which originated in the Senate, entitled

An act to legalize the election of Mayor and Councilmen of the town of Franklin,

And had found the same correctly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Caudill reported that the committee had performed that duty.

Mr. Gilbert read and laid on the table the following joint resolution, viz:

Resolution requesting State Treasurer to lay before the General Assembly his biennial report.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up and reads as follows, viz:

WHEREAS, The Treasurer of the State is required by law to make a clear, distinct, and intelligent report of all money received and disbursed by him during each fiscal year ending the tenth day of October for the two years preceding the regular meeting of the General Assembly, which shall exhibit the receipts and expenditures of each year on account of every department of the public service; and, whereas, said report is required by law to be laid before the General Assembly by the sixth day of the session, and no such report having yet been made to this body, although more than six days of the session have elapsed; therefore

Resolved by the General Assembly of the Commonwealth of Kentucky, That said State Treasurer be, and he is hereby, requested to lay before this body his biennial report, as above described, as soon as practicable.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Hon. James R. Hindman, from the Committee on Rules, to whom was referred a resolution from the House of Representatives, entitled

Joint Rules of Senate and House of Representatives,

Reported the same without amendment.

Said resolution reads as follows, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the following be, and the same are hereby, adopted as joint rules of both Houses of the said General Assembly:

JOINT RULE 1. It shall not be in order to entertain any bill for the incorporation of any company, or in relation to any local or private matter, over the subject of which other tribunals of government have jurisdiction, or the object of which can be obtained under the provisions of the general laws of the State.

JOINT RULE 2. When any committee reports to the House or Senate any bill, originating in the House to which it is reported, for the incorporation of any company, or in relation to any local or private matter, the said committee shall say in its report whether or not said bill is within the inhibition of Joint Rule No. 1, and if the bill is reported to be within the inhibition of

the said Joint Rule No. 1, it shall be immediately declared out of order, and no longer entertained by the House to which it is reported: *Provided, however*, That if any committee shall report any such bill as within or not within the inhibition of the said Joint Rule, and question is made by any member as to the correctness of their report on such question, the Speaker of the House to which it is so reported may recommit said bill to any of the standing law committees of the said House, to report on the question so raised, and their report thereon shall be conclusive.

JOINT RULE 3. None of the provisions of Joint Rules 1 and 2 shall be suspended unless on a call of the roll; three-fourths of the members elected to both Houses shall order the same to be done.

JOINT RULE 4. When bills are on their passage between the two Houses, they shall be on paper, and under the signature of the Clerk of each House respectively.

JOINT RULE 5. After a bill shall have passed both Houses, it shall be duly enrolled on paper, and under the signature of the Clerk of each House respectively.

JOINT RULE 6. When bills are enrolled, they shall be examined by a joint committee of three from the Senate and six from the House of Representatives, appointed as a standing committee for that purpose; one of whom on the part of the Senate, and two from the House of Representatives, shall be sufficient to compare the enrolled with the engrossed bills, as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bills, make their report forthwith to their respective Houses.

JOINT RULE 7. After examination and report, each bill shall be signed in their respective Houses, first by the Speaker of the House of Representatives and then by the Speaker of the Senate.

JOINT RULE 8. After a bill shall have been thus signed by each House, it shall be presented by said committee to the Governor for his approbation—it being first indorsed on the back of the bill, certifying in which House the same originated; which indorsement shall be signed by the Clerk of the House in which the same did originate, and shall be entered on the Journal of

each House. The said committee shall report the day of presentation to the Governor, which time shall also be carefully entered upon the Journal of each House.

JOINT RULE 9. All bills and resolutions passing from one House to the other shall be considered in the orders of the day when reported.

JOINT RULE 10. All orders and resolutions which are to be presented to the Governor for his approbation shall also be previously enrolled, examined, and signed, and shall be presented in the same manner and by the same committee as is provided in cases of bills.

JOINT RULE 11. Every order, resolution, or vote to which the concurrence of the Senate shall be necessary, shall be read to the House and laid on the table on a day preceding that in which the same shall be moved, unless the House shall otherwise expressly allow.

JOINT RULE 12. When any papers may come officially before either branch of the Legislature, or any communication from the Governor, and are proper to be acted upon by both Houses, the House before which such papers are laid, or to whom such communications are made, shall, as soon as they have proceeded and acted on the same, lay them before the other House.

JOINT RULE 13. When there is a communication from the Governor, or a message from one House to the other, it shall be received without delay; if the House be in committee the Speaker shall resume the chair, and if any member be speaking he shall take his seat until the communication or message be received.

Rules for the Government of the two Houses when in Joint Session.

JOINT RULE 14. A Joint Assembly of the two Houses shall be held in the Hall of the House of Representatives. The Speaker of the Senate shall occupy a seat on the right of the Speaker of the House, preside, preserve decorum, put questions, and decide all points of order; be governed by the Rules of the Senate where they are applicable, and by parliamentary usage. The Clerk of the Senate shall be Chief Clerk, assisted by the Clerk of the House. They shall enter on the Journal of their respec-

tive Houses the proceedings of the Joint Assembly. In recording any vote the names of the Senators shall be first called, and all questions shall be determined by a majority of all the votes cast. The Sergeant at-Arms of the Senate, assisted by the Sergeant-at-Arms of the House, shall perform the duties of that office to the Joint Assembly. A quorum for the transaction of business shall consist of a majority of all the members elected to both Houses.

Mr. Berry moved to amend said resolution by striking out all of Rule No. 2, after and including the words "*Provided, however,*" in line No. 9.

Mr. Berry moved to further amend said resolution by striking out Rule 3.

Mr. Hill moved to amend said resolution by "adding to Rule No. 1 the following: 'Except on Mondays and Saturdays.'"

Mr. D. H. Smith moved to amend said resolution as follows, viz:

§ 1. "Amend by striking out Rule No. 1."

§ 2. "Amend by striking out Rule No. 2."

§ 3. "Amend by striking out Rule No. 3."

§ 4. "Amend by striking out Rules Nos. 1, 2, and 3, and inserting in lieu thereof the following, to-wit: 'Each House is and ought of right to be its own judge of the character of bills it will entertain.'"

Mr. Martin moved the previous question.

And the question being taken "Shall the main question be now ordered?" it was decided in the affirmative.

Mr. D. H. Smith moved to reconsider the vote by which the main question was ordered,

And it was decided in the affirmative.

The question was then taken on the first amendment proposed by Mr. Berry to said resolution, being an amendment to Rule No. 2, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Berry, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	John Feland,	J. N. Price,
S. H. Boles,	S. E. Hill,	J. T. Simon,
F. M. Clement,	J. W. Ogilvie,	D. H. Smith—10.
Henry Dixon,		

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	F. D. Rigney,
J. W. Bryan,	J. D. Harris,	R. S. Triplett,
R. A. Burnett,	H. T. Kendall,	F. T. D. Wallace,
A. R. Byers,	L. M. Martin,	E. L. Worthington,
W. J. Caudill,	J. H. McDanell,	Robert Walker—17.
C. M. Clay, Jr.,	W. F. Neat,	

Mr. D. H. Smith moved that the further consideration of said bill and proposed amendments be postponed and made the special order of the day for Thursday, January 14th, at 12 o'clock M.

And the question being taken thereon, it was decided in the affirmative.

Mr. Gilbert read and laid on the table a joint resolution, entitled

Resolution requesting Secretary of State to report settlements filed with him by the State Auditor and Treasurer of receipts and disbursements of public money.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up and read as follows, viz:

WHEREAS, It is by law made the duty of the Auditor and Treasurer to make a settlement once in each month of the receipts and disbursements of the money in the Treasury of every description, under appropriate heads, and file the same with the Secretary of State; and, whereas, it is the duty under the law for the Secretary of State to report said monthly settlements to the General Assembly within the first ten days of each regular session; and, whereas, no such reports have been made to this body, although more than ten days of the session have elapsed; therefore

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be, and he is hereby, requested to report said monthly settlements to this body as soon as practicable.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The Senate took up for consideration the motion heretofore entered by Mr. Price, to reconsider the vote by which the Senate had passed a bill, entitled

An act for the benefit of the Carter County Court.

And the question being taken thereon, it was decided in the affirmative.

The vote dispensing with the third reading of said bill, as also ordering it to be read a third time were reconsidered,

On motion of Mr. Price,

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

The Senate took up for consideration the amendments proposed by the House of Representatives to resolutions which originated in the Senate of the following titles, viz:

Resolution requiring the State Geologist to report moneys expended by him.

Resolution requesting Public Printer to furnish detailed statement as to amount of money received by him from State Treasury on account of printing, etc., done for Geologist.

Which was twice read and concurred in.

The Senate took up for consideration a resolution, entitled

Resolution creating Revenue Commission.

On motion of Mr. Bryan,

Ordered, That said resolution be referred to the Committee on Finance.

Mr. Simon, from the Committee on Executive Affairs, to whom was referred leave to bring in a bill, entitled

A bill incorporating the Union Benevolent Society of Cynthiana, Kentucky,

Reported the same with the expression of opinion that it ought to pass.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Price,

Ordered, That said bill be recommitted to said committee.

A message, in writing, was received from the Governor by Mr. Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 11, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice

and consent will appoint, the following named gentlemen as Commissioners of the Kentucky Institution for Deaf Mutes:

Hon. William M. Berkele, Garrard county, to fill the vacancy caused by the death of Hon. J. H. Bruce; and Messrs. W. L. Caldwell, Boyle county; J. S. Vanwinkle, Boyle county; Geo. R. McKee, Kenton county; and Horace Withers, Lincoln county, to fill the vacancies caused by the expiration of their respective terms.

Very respectfully,

J. PROCTOR KNOTT.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed an enrolled bill which originated in the Senate, entitled

An act to legalize the election of Mayor and Councilmen of the town of Franklin.

Mr. Byers, from the Committee on Public Health, to whom had been recommitted a bill which originated in the Senate, entitled

An act in relation to infectious and contagious diseases of cattle,

Reported the same with an amendment.

On motion of Mr. Martin,

Ordered, Said amendment and bill be printed, and that the further consideration thereof be postponed and made the special order of the day for Wednesday, the 13th inst., at 11:30 o'clock A. M., and from day to day until disposed of.

In response to a resolution previously proposed by Mr. Berry, and adopted by the Senate, Mr. Byers, from the Committee on Public Health, reported the following resolution, viz:

Resolved, That the State Librarian be instructed to advise with a competent mechanic for opening two ventilations in the ceiling of the Senate Chamber and the cost of same, and if same can be done at a cost of not exceeding $50, and without materially marring the appearance of same, it shall be done.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Martin, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	G. G. Gilbert,	J. N. Price,
C. M. Clay, Jr.,	T. S. Grundy,	J. T. Simon,
W. M. Cravens,	S. E. Hill,	F. T. D. Wallace,
Henry Dixon,	L. M. Martin,	Robert Walker—12.

Those who voted in the negative, were—

R. T. Albritton,	W. J. Caudill,	W. F. Neat,
S. H. Boles,	F. M. Clement,	J. W. Ogilvie,
J. W. Bryan,	J. D. Harris,	F. D. Rigney,
R. A. Burnett,	H. T. Kendall,	E. L. Worthington,
A. R. Byers,	J. H. McDanell,	R. S. Triplett—15.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hill—

1. A bill proposing to amend chapter 24 of the General Statutes.

On motion of Mr. Dixon—

2. A bill to remedy sales of infant real estates.

On motion of Mr. Worthington—

3. A bill to amend subsection 3, of section 203, Civil Code of Practice.

Ordered, That the Committee on General Statutes prepare and bring in the 1st and 2d, and the Committee on Codes of Practice the 3d.

And then the Senate adjourned.

TUESDAY, JANUARY 12, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives announcing that they had disagreed to a resolution which originated in the Senate, entitled

Resolution instructing Secretary of State to report to the

General Assembly the number of notaries public commissioned from 5th Tuesday succeeding the 1st Monday August, 1883, to present time.

That they had concurred in the adoption of resolutions and passed bills which originated in the Senate of the following titles, viz:

Resolution directing Adjutant General to fire national salute in honor of American victory at New Orleans.

Resolution directing Librarian to furnish members of General Assembly with stationery: *Provided*, They pay for same, and money to be paid into Treasury.

An act to legalize an election held in the school district of the town of Fulton, Fulton county, Kentucky, on the first Saturday in May, 1884.

An act to amend the charter of the city of Newport, and removing certain qualifications of City Engineer.

An act to amend an act, entitled "An act to incorporate the Washington County Railroad District, and to define the powers, privileges, and duties of the same," approved March 12, 1884.

That they had passed bills and a resolution of the following titles, viz:

1. A bill to incorporate and establish a bank of deposit and discount at Burlington, in Boone county.

2. Resolution providing for joint meetings of the Committees on State Prisons in the two Houses.

3. A bill to authorize the jailer of Floyd county to appoint an assistant or deputy.

4. A bill to amend the charter of Richmond.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the first to the Committee on Banks and Insurance; the 2d, *the resolution*, to the Committee on Penitentiary and House of Reform; the 3d to the Committee on Propositions and Grievances, and the 4th to the Committee on Internal Improvement.

Mr. Martin moved to reconsider the vote by which the Senate had adopted resolutions of the following titles, viz:

Resolution raising a joint committee to ascertain and report the condition of the accounts of the State Auditor and Treasurer.

Resolution requesting State Treasurer to lay before the General Assembly his biennial report.

Resolution requesting Secretary of State to report settlements filed with him by State Auditor and Treasurer of receipts and disbursements of public money.

Which motion was simply entered.

On motion of Mr. E. L. Worthington, leave of absence, indefinitely, was granted Messrs. Gilbert and D. H. Smith.

Mr. Dixon, from the Committee on Propositions and Grievances, to whom had been referred a resolution from the House of Representatives, entitled

Resolution raising a special joint committee to consider the question of calling a Constitutional Convention,

Reported the same without amendment.

And the question being taken upon concurring in the adoption of said resolution, it was decided in the affirmative.

Bills from the House of Representatives of the following titles were reported from the several committees, to whom they had been referred, viz:

By Mr. Alford, from the Committee on Courts of Justice—

An act to legalize the orders of the Oldham County Court of Claims, made at its regular terms in May, 1883, and May, 1884.

By Mr. Taulbee, from the same committee—

An act to amend an act authorizing the Johnson County Court of Claims to levy and collect an ad valorem tax.

By Mr. Cravens, from the same committee—

An act authorizing the County Court of Meade county to issue bonds to pay the indebtedness of said county.

By Mr. Hill, from the same committee—

An act to repeal an act, entitled "An act to enlarge and define the duties, authority, and powers of the Commissioners for the Court-house District, in Campbell county."

By Mr. Dixon, from the same committee—

An act to repeal an act to increase the jurisdiction of the Police Judge of the town of Pikeville.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to amend and continue in force the charter of the Breckinridge Bank, at Cloverport, in Breckinridge county.

By same—

An act to incorporate the Peoples' Bank, of Adairville.

With amendments to the last two-named bills,

Which were adopted.

Ordered, That said bills, the last two, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to incorporate the Citizens' Bank.

By Mr. Alford, from the Committee on Courts of Justice—

A bill to repeal an act, entitled "An act to fix and define the costs to be taxed in the Mayor's Court of Newport."

By Mr. Frederick, from the Committee on Propositions and Grievances—

A bill to repeal an act, entitled "An act allowing any constable in the city of Newport to appoint one deputy."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Taulbee, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to repeal all laws conferring special jurisdiction on Justices, Police, and Quarterly Courts,

Reported the same with the expression of opinion that it ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Burnett,

Ordered, That the further consideration of said bill be postponed and made the special order of the day for Friday, the 15th inst., at 11 o'clock A. M.

Mr. Cravens, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of Jesse L. Hall,

Reported the same with the expression of opinion that it ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Berry moved to postpone the further consideration thereof indefinitely.

And the question being taken thereon, it was decided in the affirmative.

So said bill was rejected.

Mr. Bryan, from the Committee on Penitentiary and House of Reform, to whom was recommitted a resolution which originated in the Senate, entitled

Resolution to appoint a joint committee to investigate and report upon the employment of convict labor in mines, etc.,

Reported the same, with the following amendment as a substitute therefor, viz:

To the Senate of Kentucky:

Your Committee upon Penitentiary and House of Reform, to whom was referred Senate joint resolution 11, beg to report that the matters set forth in said resolution are of so grave a nature that they demand a thorough investigation by the General Assembly, and the committee therefore recommend the following resolution:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the committees of the Senate and House of

Representatives on Penitentiary and House of Reform are directed to thoroughly investigate, viz:

1. Whether any of the provisions of section 9 of act of May 3, 1880, have in any manner whatever, and to what extent and by whom, been violated, and as to whether any punishment, and, if so, to what extent, and the character of same, has been inflicted upon convicts by those having control of them.

2. They will ascertain and report what contracts, if any, have been made by the Sinking Fund Commissioners leasing convicts since May 10, 1884, and whether any of the contractors leasing the convicts have sub-leased or hired convicts to other persons or corporations.

3. Whether section 12 of said act of May 3, 1880, has been violated; and, if so, by whom and in what respect.

4. To enable said committees to perform the duties hereinbefore named, it may be divided into as many sub-committees as may be deemed necessary by the committee, and the chairman of said joint committee or of any sub-committee thereof shall have full and complete power to summon and enforce the attendance, and swear witnesses, including convicts, examine and transcribe records, and to direct subpœnas to any officer of this Commonwealth authorized to summon witnesses, which officer shall execute same, and to visit any point in this Commonwealth deemed necessary. The report herein required shall be made as early as practicable.

And the question being taken on concurring in the adoption of said amendment as a substitute for said resolution, it was decided in the affirmative.

On motion of Mr. Boles, Mr. Wilson was added to the Committee on Penitentiary and House of Reform.

The Speaker laid before the Senate the response of the Public Printer and Binder to a resolution heretofore adopted, asking information as to amount of money received by him for work done for Geological and Immigration Bureau from August 4, 1884, to January 5, 1886.

Said response reads as follows, viz:

FRANKFORT, KY., January 12, 1886.

HON. J. R. HINDMAN, *Speaker of the Senate:*

SIR: In compliance with a resolution of your honorable body directed to me, and asking for official information in regard to the total amount of printing, binding, electrotyping, and stereotyping done by the Public Printer and Binder for the Geological and Immigration Bureau during the term of my office,

beginning August 4, 1884, and ending January 5, 1886, I have the honor to report the following account as embracing all the cash received for work executed by this department for the bureau named in your resolution.

Very respectfully,

JOHN D. WOODS,

Public Printer and Binder.

GEOLOGICAL AND IMMIGRATION BUREAU,

To JOHN D. WOODS, *Public Printer and Binder:*

			DR.
1884.			
July 27.	By whole amount cash received for all printing for first year, as per printed report	$ 982 95	
July 27.	By whole amount cash received for binding to date, as per report	1,008 95	
			$1,991 90
1885.	SECOND YEAR.		
Sept. 16.	By cash for work to date, printing	$ 85 00	
Sept. 25.	By cash for work to date, printing	216 06	
1886			
Jan. 5.	By cash for work to date, printing	673 80	
			974 86
1885.			
Jan. 16.	By cash for binding to date	$ 22 40	
Jan. 25.	By cash for binding to date	71 75	
1886.			
Jan. 5.	By cash for binding to date	530 45	
			624 60
	Total cash received for all work to date		$3,591 36

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to regulate proceedings in cases of voluntary assignments,

Reported the same with the expression of opinion that it ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

On motion of Mr. J. R. W. Smith,

Ordered, That said bill be printed and made the special order of the day for Wednesday, the 20th inst., at 11 o'clock A. M.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act regulating the jurisdiction of Justices of the Peace of Floyd and Johnson counties,

Reported the same without amendment.

On motion of Mr. Taulbee,

Ordered, That said bill be placed in the orders of day.

Mr. Clay moved the following resolution, viz:

Resolved, That the Auditor be requested to inform the Senate at his earliest convenience from what fund the printing ordered by the Geological Bureau for the last two fiscal years has been paid, and the authority therefor.

Which was twice read and adopted.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution which originated in the House of Representatives, entitled

Resolution raising a joint committee to consider the revenue laws of this Commonwealth;

Resolution concerning the employment of a carpenter for the two Houses;

Joint resolution in regard to the death of Hon. Thomas A. Hendricks, late Vice-President of the United States;

An act to legalize an election held in the school district in the town of Fulton, Fulton county, Kentucky, on the 1st Saturday in May, 1884;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Berry, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of the public schools of this Commonwealth in cities having a population of twenty thousand and over,

Reported the same with the expression of opinion that it ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. J. R. W. Smith proposed an amendment to said bill.

Mr. Hays moved to recommit said bill and proposed amendment to the Committee on Education.

And the question being taken thereon, it was decided in the affirmative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Boles—

1. A bill to repeal chapter 873 of the General Laws of this Commonwealth, passed at the regular session of the General Assembly, commencing December 31, 1883, entitled "An act to amend an act, entitled 'An act providing compensation for Circuit Court Clerks in Commonwealth cases,'" approved April 19, 1882.

On motion of Mr. Kendall—

2. A bill incorporating the Economical Heating Company.

On motion of Mr. Wallace—

3. A bill granting to Sheriffs in this Commonwealth two years further time to collect uncollected taxes.

On motion of same—

4. A bill to repeal the law authorizing the hiring out of convicts sentenced to imprisonment in the penitentiary in this State.

Ordered, That the Committee on General Statutes prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d and 3d, and the Committee on Penitentiary and House of Reform the 4th.

On motion, the Senate then adjourned.

WEDNESDAY, JANUARY 13, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed sundry enrolled resolutions which originated in the House of Representatives, of the following titles, viz:

Resolution to pay E. Polk Johnson for services rendered in organizing the House.

Resolution raising a joint committee to consider the revenue laws of this Commonwealth.

Resolution concerning the employment of a carpenter for the two Houses.

Joint resolution in regard to the death of Hon. Thomas A. Hendricks, late Vice-President of the United States.

That they had passed bills of the following titles, viz:

An act for taking the sense of the good people of this Commonwealth as to the necessity and expediency of calling a Convention to amend the Constitution, and to provide for ascertaining the number of citizens entitled to vote for Representatives within this State.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Feland,

Ordered, That said bill be made the special order of the day for to-morrow, the 14th inst., at 11 o'clock A. M.

The Speaker laid before the Senate the response of the Auditor of Public Accounts to a resolution adopted on the 4th inst., asking information as to the amount of money for which he had issued warrants on the Treasury for and on account of office rent, fuel, light, and public printing for the Bureau of Agriculture, Horticulture, and Statistics for the past two years.

Said response was taken up and read as follows, viz:

STATE OF KENTUCKY,
OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,
FRANKFORT, January 12, 1886.

HON. J. R. HINDMAN, *Speaker of the Senate:*

SIR: In reply to Senate resolution asking a statement of the amount of money for which warrants on the Treasury of the State for and on account of office rent, fuel, light, and public printing for the Bureau of Agriculture, Horticulture, and Statistics for the past two years were drawn:

There have been no payments made for rent on account of that Bureau. I can not say what the expenditure for fuel and light used in that office alone may have been, since the supply of coal for all the offices is bought and stored, and used from as a common supply. The same is true of the gas, it being furnished to each building through a common meter.

The cost of printing charged to that Bureau during the years 1884 and 1885 amounts to $1,600.65.

Yours truly,

FAYETTE HEWITT, *Auditor.*

Mr. Bryan, from the Committee on Penitentiary and House of Reform, to whom had been referred a resolution from the House of Representatives, entitled

Resolution providing for joint meetings of the Committees on State Prisons in the two Houses,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Burnett, from the Committee on General Statutes, to whom was recommitted a bill, entitled

An act for the benefit of W. P. Sandidge, of Cumberland county,

Reported the same with an amendment as a substitute therefor,

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Martin, from the Committee on the Judiciary—

An act to create the office of County Treasurer of Meade county.

By same—

An act to amend an act, entitled "An act to incorporate the Paducah Electric Light and Heating Company," approved March 20, 1880.

By Mr. McDanell, from the Committee on Banks and Insurance—

An act to incorporate and establish a bank of deposit and discount at Burlington, in Boone county.

By Mr. Burnett, from the Committee on General Statutes—

An act to incorporate the town of Eubanks, in Pulaski county.

With an amendment to the last two-named bills,

Which were adopted.

Ordered, That said bills, the last two, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the committees directed to prepare and bring in the same, viz:

By Mr. Burnett, from the Committee on General Statutes—

A bill to repeal an act requiring certain legal advertisements in Pendleton county to be inserted in any paper of general circulation published in Pendleton county, approved April 24, 1880.

By Mr. Harris, from the Committee on Internal Improvement—

A bill to incorporate the Economic Heating Company.

Which bills were read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in bills of the following titles, viz:

A bill to amend chapter 24 of General Statutes;

A bill to amend section 8, of article 13, of chapter 38 of the General Statutes;

Asked to be discharged from the further consideration of the said leaves,

Which was granted.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in the same, reported a bill, entitled

A bill to repeal an act approved April 19, 1884, entitled "An act to amend an act, entitled 'An act providing compensation for Circuit Court Clerks in Commonwealth cases,'" approved April nineteenth, one thousand eight hundred and eighty-four,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. J. R. W. Smith,

Ordered, That said bill be recommitted to the Committee on General Statutes.

The Speaker laid before the Senate the response of the Com-

missioner of the Bureau of Agriculture, Horticulture and Statistics to the resolution adopted by the Senate on the 4th inst., asking information as to the present condition and capacity of the State as regards its agricultural, mining, manufacturing, and domestic arts; the average price of lands and labor in its different sections; its traveling, exporting, and educational facilities; also brief view of its climate, its geographical position, and general topography; also whether the appropriations of $2,000 annually has been consumed; and, if consumed, to furnish detailed statement as to how it was consumed.

On motion of Mr. Boles,

Ordered, That said response be printed and copies thereof furnished to the members.

Mr. Martin, from the Committee on the Judiciary, to whom was recommited a bill, entitled

An act to amend an act, entitled "An act to incorporate the Masonic Temple Association of Newport," approved March 29, 1880,

Reported the same with an amendment,

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Martin, from the Committee on the Judiciary, laid before the Senate the response of said committee to a resolution adopted by the Senate on the 8th inst., requesting said committee to report whether in their opinion it would be unconstitutional to reduce the number of persons composing a grand jury below sixteen, as now required, and a petit jury in civil or criminal trials below twelve.

Said response was taken up and reads as follows:

In response to Senate resolution adopted January 8, 1886, the Judiciary Committee beg leave to report, that in their opinion, a reduction of the number of persons now constituting a grand or petit jury would be in violation of the Constitution of Kentucky.

Mr. Price, from the Committee on Claims, to whom was referred leave to bring in the same, reported a bill, entitled

A bill for the benefit of Emily F. Dean, of Magoffin county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hays,

Said bill was recommitted to the Committee on Claims.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed an enrolled bill which originated in the Senate, entitled

An act to legalize an election held in the school district in the town of Fulton, Fulton county, Kentucky, on the 1st Saturday in May, 1884.

A message in writing was also received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and reads as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 13, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

C. H. Wulkop, Jefferson county.
George B. Eastin, Jefferson county.
Sol. Lazarus, Jefferson county.
B. Frese, Jefferson county.
Fred. Frische, Jefferson county.
Frank T. Blakemore, Jefferson county.
A. G. Rhea, Logan county.
Garrett S. Wall, Mason county.
E. G. Buckner, Daviess county.
R. H. Rudd, Daviess county.
Eugene Wallace, Lawrence county.
J. M. Hughes, Bourbon county.
Jacob Held, Jr., Henderson county.
C. W. G. Eggner, Marshall county.
W. S. Wilson, Owen county.
J. W. Gregory, Union county.

S. P. Debaun, Mercer county.
Jesse Johnson, Anderson county.
B. R. Edmonds, Marion county.
R. H. Dorn, Jefferson county.
William R. Johnson, Jefferson county.
Rob. Gibson, Pulaski county.
R. W. Holland, Pendleton county.
G. W. Lail, Harrison county.
F. M. Gillstrap, Ohio county.
Ed. M. Louis, Jefferson county.
D. G. Witt, Henderson county.
Frank B. Richardson, Christian county.
George E. Miller, Montgomery county.
J. A. McGee, Pulaski county.

Very respectfully,
J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bryan—

1. A bill to incorporate the Ruthenburg Automatic Fire Extinguishing Company.

On motion of Mr. McKee—

2. A bill amending the charter of the city of Frankfort.

On motion of Mr. Price—

3. A bill for the benefit of school district No. 19, Fleming county.

On motion of Mr. Frederick—

4. A bill to prohibit hogs and sheep from running at large in the county of Jefferson.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on General Statutes the 2d; the Committee on Education the 3d, and the Committee on Propositions and Grievances the 4th.

The Senate, according to order, took up for consideration a bill, entitled

An act in relation to infectious and contagious diseases of cattle.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, Whenever any contagious or infectious

disease affecting cattle shall exist in this State, or shall be brought into or break out in this State, it shall be the duty of the State Board of Health to take measures to suppress the same promptly and effectively, to prevent the same from spreading.

§ 2. For such purpose the State Board of Health shall have power: To issue their proclamation, stating that infectious or contagious disease exists in any county or counties of the State, and warning all persons to seclude all animals in their possession that are affected with such disease, or have been exposed thereto, and ordering all persons to take such precautions against the spreading of such disease as the nature thereof may, in their judgment, render necessary or expedient; to order that any premises, farm or farms, where such disease exists, or has existed, be put in quarantine, so that no cattle be removed from or brought to the premises so quarantined, and to prescribe such regulations concerning the mode of quarantine as they may judge necessary or expedient to prevent infection or contagion being communicated in any way from the places so quarantined; to call on the Sheriffs and Deputy Sheriffs to assist in enforcing and carrying out the provisions of said proclamations and orders; and it shall be the duty of the Sheriffs and Deputy Sheriffs to observe and obey all of said orders and proclamations; to employ a veterinary surgeon and practitioner, and such other persons as may be necessary from time to time in performing their duties as set forth in the provisions of this act; to prescribe regulations for the destructions of such animals so affected, and for the proper disposition of their hides and carcasses, and of all objects which might convey infection or contagion: *Provided*, That no animal shall be destroyed by said Board, unless first examined by a veterinary practitioner, acting in the employ or under the direction of said Board, or unless the owner thereof knows that such cattle is so affected; to prescribe regulations for the disinfection of all premises, buildings, and railway cars, and all objects by or from which infection may take place or be conveyed; to alter, modify, cancel, or withdraw any of said proclamations, orders, or regulations, whenever they may deem it proper so to do.

§ 3. Any person transgressing, violating, or failing to comply with the terms of any proclamation, order, or regulation issued or prescribed by the Board shall be guilty of a misdemeanor, and, on indictment, be fined in a sum not less than two hundred nor more than one thousand dollars. And any person or persons, being the owner of any cattle affected with a contagious disease, to-wit: Pleuro-pneumonia, and knowing the same to be so affected, fails to kill and bury or burn the ones so affected, or fails to report the same at once to the State Board of Health, shall be fined for each offense in a sum not less than two hundred nor more than one thousand dollars, and the said Board, upon the failure of any such person to immediately kill said

diseased cattle when ordered by the Board so to do, shall have the right to kill the same at the owner's expense.

§ 4. Any person bringing cattle into this Commonwealth having the said disease, pleuro-pneumonia, and knowing the same to be so affected, shall be deemed guilty of a felony, and on indictment and conviction be confined in the penitentiary not less than one nor more than four years.

§ 5. Any person being the owner of cattle affected with pleuro-pneumonia, and knowing the same to be so affected, or knows the same to have been exposed thereto, drives or causes the same to be driven upon a public highway, or sells or transfers the same to another, shall, on indictment and conviction, be fined in a sum not less than two hundred nor more than one thousand dollars.

§ 6. The State Board of Health shall have the power to employ a veterinarian, who shall be a regular practitioner and a graduate of some college of veterinary surgery and practice, whose duty it shall be to render such services under this act as the Board may direct. Said veterinarian shall be entitled for the services rendered to a sum not exceeding ten ($10) dollars per day and traveling expenses, for the time he is actually engaged at work for said Board. The Board will certify to the Auditor of Public Accounts the amount due to the veterinarian, and the same shall be paid by the State Treasurer upon the warrant of the Auditor. The veterinarian shall receive nothing from any other person for examinations and work done at the instance of said Board, and in the event he does he shall, upon indictment and conviction, be fined in a sum not less than two hundred nor more than one thousand dollars.

§ 7. In order to effectually carry out the provisions and intentions of this act, the said Board may engage and obtain the services of any veterinarian in the employ of the Federal Government of the United States, and otherwise co-operate with the proper department of said Federal Government in the suppression of said disease in this State.

§ 8. The Governor shall, in addition to the number of persons now on said State Board of Health, appoint three discreet and intelligent housekeepers engaged in the cattle business, whose duty it shall be to serve on said Board, without any charge for services, but said three persons shall only have the right and power to act thereon with reference to matters pertaining to this act and of matters embraced by this act. As to all other matters connected with said State Board of Health, said three persons shall have no power.

§ 9. This act shall take effect from and after its passage.

The amendment proposed by the committee to said bill reads as follows, viz:

§ 9. If any person shall be convicted of a violation of the

third, fourth, or fifth sections of this act, the jury shall have power to determine by their verdict whether or not such person is, at the time of his trial and conviction, the owner of any cattle which have been exposed to said disease, by having been within the same inclosure with a diseased animal within four months next before the trial, and if they find he has such cattle they will find the number, sex, and distinguishing marks, and it shall be the duty of the court to prescribe the destruction of said cattle by the Sheriff, at the owner's expense, and the fees allowed by the Court to the officer for executing the order of destruction shall be taxed as costs in the case.

§ 10. For the purpose of stamping out the disease, pleuro-pneumonia, now in this State, the sum of five thousand dollars is appropriated out of any money now in the State Treasury. The Auditor is directed, at the request of the State Board of Health, to draw his warrant upon the Treasurer for the said sum of five thousand dollars, payable to the State Board of Health as organized under this act. The State Board of Health may contract with the owners for the purchase and destruction of all cattle which have been exposed to said disease, pleuro-pneumonia, but which do not actually have the same. The said Board shall use only so much of said money as may be necessary to purchase the said cattle which have been exposed to said disease, and in the event there may be a balance unexpended in their hands, they shall return the same to the Treasurer. If the said Board are of the opinion and find that they can not purchase all of said cattle, then they are to spend no part of the same. The said Board will to the present, or the next General Assembly, report an itemized statement of said expenditure under this act.

§ 11. Whenever the State Board of Health shall have information of the existence of pleuro-pneumonia in any other State of this Union, or any other country, they shall have the power, and it shall be their duty, to issue proclamations of quarantine against the cattle of such State or country, to prevent the importation of said disease into this State. The terms and mode of quarantine shall be determined by the said Board.

§ 12. The veterinarian acting in the employ or under the direction of said Board shall be known under the name and style of State Veterinarian.

Mr. Boles proposed the following amendment to said bill, viz:

Amend section 6 by striking out these words in said section: "The board will certify to the Auditor of Public Accounts the amount due to the veterinarian, and the same shall be paid by the State Treasurer upon the warrant of the Auditor," and insert the following in lieu of the words stricken: "The Board will certify to the presiding Judge of the County Court of the respective counties wherein the services of the veterinarian may

have been employed the amount due to the veterinarian for his services rendered in the county, and said County Judge of each of said counties in which the services of the veterinarian shall have been rendered shall make an order for the allowance of the amount to be paid out of the county levy and public dues of said county."

Mr. D. H. Smith moved to amend the amendment proposed by the committee to said bill by striking therefrom section "10."

Mr. Simon moved to amend said bill by striking out "ten dollars" in the sixth line thereof, and inserting in lieu thereof "five dollars."

Mr. Bryan moved to amend the amendment proposed by the committee by striking out section "10."

Pending the consideration of said bill and proposed amendments, the hour of 1 o'clock P. M. having arrived, Mr. Price moved that the session of the Senate be extended indefinitely.

And the question being taken thereon, it was decided in the affirmative.

After a time spent in the discussion of said bill and proposed amendments, on motion of Mr. Burnett, the Senate adjourned.

THURSDAY, JANUARY 14, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of resolutions, and passed a bill which originated in the Senate of the following titles, viz:

Resolution to investigate the management of the Paper Contractor.

Resolution fixing a day for the election of a Public Printer and Binder.

With an amendment to the last-named resolution.

That they had passed resolutions of the following titles, viz:

1. Resolution calling upon the Commission and Warden of the Penitentiary for a report concerning clothing for ex-convicts.

2. Resolution requiring the Committee on State Prisons to hold open sessions in investigating the removal of Warden South.

3. Resolution directing the Committees on Printing to investigate charges against the Public Printer.

Which were read and referred—the 1st and 2d to the Committee on Penitentiary and House of Reform, and the 3d to the Committee on Printing.

That they had passed bills of the following titles, viz:

1. An act establishing a new voting precinct in Oldham county, to be known as Centerfield precinct.

2. An act for the benefit of David Ewell Phillips, of Jefferson county.

3. An act for the benefit of common school district No. 1, in Fulton county.

4. An act to amend an act, entitled "An act to amend the charter of the Eastern Kentucky Railway Company," approved March 11, 1884.

5. An act for the benefit of Edward Talbott, of Nelson county.

6. An act for the benefit of W. S. Long, of Wayne county.

7. An act to amend an act, entitled "An act to incorporate the Versailles and Midway Railway Company," approved April 15, 1884.

8. An act for the benefit of W. J. Sullinger, Jr., of Ballard county.

9. An act to amend the charter of the Glasgow Railroad Company.

10. An act to authorize jailers of this Commonwealth to appoint deputies.

11. An act for the benefit of common school district No. 62, in Hart county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Propositions and Grievances; the 2d, 5th, 6th, and 8th to the Committee on the Judiciary; the 3d to the Committee on Education; the 4th, 7th, and 9th to the Committee on Railroads, and the 10th to the Committee on the Judiciary.

Ordered, That the 11th, the last-named bill, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hill presented the petition of sundry citizens of Daviess, Ohio, and McLean counties, praying the passage of an act prohibiting the sale of spirituous, vinous, or malt liquors within two miles of Greenbrier and New Bethel Churches, in Daviess and Ohio counties.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

Mr. Martin withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had adopted resolutions of the following titles, viz:

Resolution raising a joint committee to ascertain and report the condition of the accounts of the State Auditor and Treasurer.

Resolution requesting Secretary of State to report settlements filed with him by the State Auditor and Treasurer of receipts and disbursements of public money.

The Senate took up for consideration the motion heretofore entered by Mr. Martin, to reconsider the vote by which the Senate had adopted a resolution, entitled

Resolution requesting State Treasurer to lay before the General Assembly his biennial report.

And the question being taken thereon, it was decided in the affirmative.

By unanimous consent Mr. Gilbert, the mover of same, was then permitted to withdraw said resolution from the further consideration of the Senate.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hill—

1. A bill to prohibit the sale of spirituous liquors within two miles of Green River Baptist Church, in Daviess county, or New Bethel Methodist Church, in Ohio county.

On motion of Mr. Taulbee—

2. A bill for the benefit of G. B. Swango, Judge of the Wolfe County Court.

On motion of Mr. Gilbert—

3. A bill to consolidate and reduce into one the several acts relating to the charter of the town of Taylorsville.

On motion of Mr. Bryan—

4. A bill to abolish the office of Public Printer and Binder, and to authorize the Governor, Auditor, and Treasurer to advertise and let out to the lowest and best bidder the printing and binding necessary and required by all the departments of the State Government of Frankfort.

On motion of Mr. Simon—

5. A bill to establish a school at Falmouth, Kentucky, in district No. 1, of Pendleton county.

On motion of Mr. J. R. W. Smith—

6. A bill to establish a school at South Union, Kentucky, to be called the South Union district school.

On motion of Mr. Hill—

7. A bill making tax assessors ineligible for re-election.

On motion of same—

8. A bill providing for the appointment of Warden of the Penitentiary.

On motion of Mr. Frederick—

9. A bill to repeal an act, approved May 10, 1884, entitled "An act to amend the charter of the Louisville Southern Railroad Company," approved April 28, 1884.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st; the Committee on Courts of Justice the 2d, 3d, 7th, and 8th; the Committee on Printing the 4th; the Committee on the Judiciary the 5th; the Committee on Education the 6th, and the Committee on Railroads the 9th.

The Senate, according to order, took up for consideration a bill, entitled

An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth, bordering on Green and Barren rivers.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever the United States shall make an appropriation for the extinguishment of the claim of the Green and Barren River Navigation Company to take tolls and to exercise control over said rivers, the consent of the State of Kentucky is hereby given to the acquisition by the United States by purchase or condemnation of any lands, buildings, or other property necessary for the purpose of erecting dams, abutments, locks, lock-keepers' dwellings, chutes, and other necessary structures for the construction and maintenance of slack water navigation on said rivers, or for the purpose of constructing canals on the same; and the United States Government shall have title to the grounds and sites thus acquired, and all power, authority, and jurisdiction over the same which the government of the United States may, under the Constitution of the United States and laws made in pursuance thereof, acquire over lands in the State ceded to it for similar purposes; but the State of Kentucky reserves the right to execute process lawfully issued under its authority within and upon said grounds, sites, rivers, and canals.

§ 2. That in case of failure of the United States to agree with the owner or owners of any such lands as the United States may deem necessary for the purpose named in the first section of this act, it shall be lawful for the United States to apply for the condemnation of such land by petition to any judge of a court of record in or nearest to the county where the land may be situated, either in term time or in vacation, notice of the time and place of such application having been first duly given, by publication for thirty days prior to the day of such application, in some newspaper of general circulation published in the county where the land lies, or if the owner or owners reside in the State of Kentucky, by personal service upon the owner or owners of such land at least twenty days prior to such application; and thereupon, it shall be lawful for such judge to appoint three disinterested freeholders of the county where such land lies as commissioners, and having been first duly sworn to well and duly appraise the damages due the owner or owners of said land proposed to be taken, shall report, in writing, to the said judge the amount of damages to be paid to the owner or owners of such land, which report, upon confirmation by said judge, shall be held as final and binding upon said owner or owners of said land; and upon the amount of such damages

being paid to the owner or owners of said land, the title of such land shall vest in the United States, and said land shall be exempt from all taxes and assessments so long as it shall remain the property of the United States.

§ 3. That if any person or persons shall willfully and maliciously injure any of the lands, buildings, or other property acquired or held under the provisions of this act, such person or persons shall be liable to a fine of not less than twenty dollars, and to imprisonment not exceeding six months, or both or either, at the discretion of the court. Said offense to be prosecuted in any court of competent jurisdiction.

§ 4. That for the purposes contemplated by this act, the State of Kentucky hereby transfers and cedes to the United States the five locks and dams heretofore constructed by the State on said rivers, together with all the grounds and appurtenances belonging to the same.

§ 5. This act to take effect from its passage.

Mr. D. H. Smith moved to amend said bill as follows, viz:

Amend by inserting after the word "purposes," and before the word "but," in line 16, section 1, the following, to-wit: *Provided, however*, That the acceptance by the government of the United States of the rights and privileges herein ceded to and conferred upon it by the State of Kentucky shall bind and obligate said United States Government to lock, dam, and otherwise improve in a suitable manner therefor, and maintain slackwater navigation on Big Barren River, as far up as Bowling Green, in Warren county, and on Green River, as far up as Greensburg, in Green county.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Hill, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	L. W. McKee,
M. C. Alford,	John Feland,	W. F. Neat,
A. S. Berry,	W. H. Frederick,	J. W. Ogilvie,
S. H. Boles,	G. G. Gilbert,	J. N. Price,

J. W. Bryan,
R. A. Burnett,
W. W. Bush,
A. R. Byers,
W. J. Caudill,
C. M. Clay, Jr.,
F. M. Clement,
W. M. Cravens,
T. S. Grundy,
J. D. Harris,
R. G. Hays,
S. E. Hill,
H. T. Kendall,
L. M. Martin,
J. H. McDanell,
F. D. Rigney,
J. T. Simon,
J. R. W. Smith,
E. R. Sparks,
W. H. Taulbee,
E. L. Worthington,
R. S. Triplett—34.

In the negative—D. H. Smith—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Gilbert, from the Committee on Printing, reported a bill, entitled

A bill abolishing the office of Public Printer and Binder, and to authorize the Governor, Auditor, and Treasurer to advertise and let to the lowest and best bidder the printing and binding necessary and required by all the departments of the State Government at Frankfort.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Gilbert,

Ordered, That said bill be printed and recommitted to the Committee on Printing.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined an enrolled bill and a resolution which originated in the House of Representatives of the following titles, viz:

An act to repeal an act, entitled "An act to enlarge and define the duties, authority, and powers of the Commissioners for the Court-house District, in Campbell county;"

An act to amend an act authorizing the Johnson County Court of Claims to levy and collect an ad valorem tax;

An act authorizing the County Court of Meade county to issue bonds to pay the indebtedness of said county;

An act to legalize the orders of the Oldham County Court of Claims, made at its regular terms in May, 1883, and 1884;

An act to repeal an act to increase the jurisdiction of the Police Judge of the town of Pikeville;

Resolution raising a special joint committee to consider the question of calling a Constitutional Convention;

And enrolled bills and resolutions which originated in the Senate of the following titles, viz:

An act to amend the charter of the city of Newport, and removing certain qualifications of City Engineer;

An act to amend an act, entitled "An act to incorporate the Washington County Railroad District, and to define the powers, privileges, and duties of the same," approved March 12, 1884;

Resolution requiring the State Geologist to report moneys expended by him;

Resclution requesting Public Printer to furnish detailed account of money received by him from State Treasury on account of printing, etc., done for Geologist;

Resolution directing Librarian to furnish members of General Assembly with stationery: *Provided*, They pay for same, and money to be paid into Treasury;

Resolution directing the Adjutant General to fire national salute in honor of American victory at New Orleans;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill, which orginated in the House of Representatives, entitled

An act for taking the sense of the good people of this Commonwealth as to the necessity and expediency of calling a convention to amend the Constitution, and to provide for ascertaining the number of citizens entitled to vote for Representative within this State.

On motion of Mr. Feland,

Ordered, That the further consideration of said bill be postponed and made the special order of the day for to-morrow, the 15th inst., at 11 o'clock A. M.

Mr. Hays moved the following resolution, viz:

Resolved by the Senate of Kentucky, That the Governor furnish to this body now in session, at his earliest convenience, such written or printed matter as he may have in his possession bearing upon the question of pleuro-pneumonia existing in this or any other State, with a view to having the same read as information to the Senate.

Which was adopted.

The Senate, according to order, resumed the consideration of the special order of yesterday, being a bill, entitled

An act in relation to infectious and contagious diseases of cattle.

[*For bill and amendments, see Senate Journal of yesterday.*]

Pending the consideration of said bill and the proposed amendments thereto, the hour of 1 o'clock P. M. having arrived, Mr. Martin moved that the session of the Senate be extended until the bill under consideration be disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Boles proposed the following amendment as a substitute for section 4 of original bill, viz:

§ 4. Any person who shall hereafter bring into this State cattle known to him at the time of bringing them in, to have pleuro-pneumonia, or to have been exposed to it, or shall keep cattle in this State knowing at the time that said cattle have pleuro-pneumonia, or have been exposed to it, shall be guilty of a felony, and upon indictment therefor and conviction thereon, shall be punished by confinement in the penitentiary for not less than one nor more than two years.

Mr. Boles proposed the following amendment as a substitute for section 9 of the amendment proposed by the committee, viz:

§ 9. If any justice of the peace of this Commonwealth shall receive information by affidavit that any person is the owner of cattle situated and being in this Commonwealth at the time, that are affected with pleuro-pneumonia or have been exposed to it, the number, age, sex, and distinguishing marks of said cattle being in said affidavit set forth as accurately as possible, then it shall be the duty of such justice to issue a summons in the name of the Commonwealth of Kentucky, directed to such

owner or owners, commanding him or them to appear before such justice at a time and place within the county where said cattle may be not beyond ten days thereafter, to show cause why said cattle charged with having said pleuro-pneumonia, or that have been exposed to it, shall not be killed and burned or buried, and upon the return of said summons, duly executed, if the owner or owners shall admit that his cattle have said disease, or have been exposed to it, it shall be the duty of said justice to enter up an order, commanding said owner or owners to forthwith kill, burn, or bury said cattle. If said owner or owners shall deny that said cattle are affected with said disease, or have been exposed to it, then it shall be the duty of said justice to forthwith cause a jury of twelve men of said county to inquire, and by their verdict say, whether said cattle or any of them are affected with said disease, or have been exposed to it, and if so, the number, age, and sex, and other distinguishing marks of said cattle affected with said disease or exposed to it, and if said jury shall find said cattle, or any of them so diseased, or that they have been exposed to it, it shall be the duty of such justice to forthwith enter up an order that said cattle be killed and burned or buried, and that the civil officer executing said summons discharge that duty. In the event that the owner fail or refuse to do so for two days thereafter, the costs of said proceeding to be paid by the owner of said cattle if found diseased. If not so found, the court of claims of the county where said proceedings are had, shall provide for the payment of all the costs incurred, both by the owner and the Commonwealth.

§ 2. The justice having charge of the proceeding may make an order requiring the jury to accompany him with all the witnesses to the place where said cattle may be, in order to obtaining a view of said cattle, and to enable the jury from such view to distinguish and more certainly describe such cattle so diseased.

§ 3. The provisions of this amendment shall take effect from its passage.

Mr. Feland offered an amendment as a substitute for said bill and the amendment proposed by the committee.

After a time spent in the discussion of said bill and pending amendments, Mr. Boles moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	F. M. Clement,	J. W. Ogilvie,
S. H. Boles,	Henry Dixon,	J. N. Price,

J. W. Bryan,
R. A. Burnett,
W. W. Bush,
A. R. Byers,
W. J. Caudill,
W. H. Frederick,
R. G. Hays,
H. T. Kendall,
W. F. Neat,
F. D. Rigney,
D. H. Smith,
F. T. D. Wallace,
W. H. Taulbee—19.

Those who voted in the negative, were—

M. C. Alford,
A. S. Berry,
C. M. Clay, Jr.,
W. M. Cravens,
John Feland,
G. G. Gilbert,
T. S. Grundy,
J. D. Harris,
S. E. Hill,
L. M. Martin,
J. H. McDanell,
J. T. Simon,
J. R. W. Smith,
E. R. Sparks,
R. S. Triplett,
E. L. Worthington,
Robert Walker—17.

And then the Senate adjourned.

FRIDAY, JANUARY 15, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to enlarge and define the duties, authority, and powers of the Commissioners for the Court-house District, in Campbell county."

An act to amend an act authorizing the Johnson County Court of Claims to levy and collect an ad valorem tax.

An act authorizing the County Court of Meade county to issue bonds to pay the indebtedness of said county.

An act to legalize the orders of the Oldham County Court of Claims, made at its regular terms in May, 1883, and May, 1884.

An act to repeal an act to increase the jurisdiction of the Police Judge of the town of Pikeville.

Resolution raising a special joint committee to consider the question of calling a Constitutional Convention.

That they had refused to concur in an amendment proposed by the Senate to a bill which orginated in the House of Representatives, entitled

An act to amend and continue in force the charter of the Breckinridge Bank, at Cloverport, in Breckinridge county.

That they had adopted resolutions of the following titles, viz:

1. Resolution to pay W. E. Railey, Sergeant-at-Arms of the last House of Representatives, for services rendered in the organization of the present House.

2. Resolution calling upon the Auditor for a statement of the amount paid to each the Frankfort Yeoman and Capital for publishing proclamation rewards, and how often inserted.

Said first-named resolution was taken up, twice read, and concurred, and the second and last-named resolution was read and referred to the Committee on Printing.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act for the benefit of John W. Clark, administrator of Joseph W. Oliver, deceased, late Sheriff of Lyon county," approved February 5, 1884.

2. An act for the benefit of Will R. Speck, of Warren county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred to the Committee on the Judiciary.

A message, in writing, was also received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and reads as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 14, 1886.

Gentlemen of the Senate:

In compliance with your resolution of this date, requesting

me to furnish at my earliest convenience such written or printed matter as I may have in my possession bearing upon the question of pleuro-pneumonia existing in this or any other State, with a view of having the same read as information to the Senate, I have the honor to transmit herewith a telegram received by me from B. E. Salmon, Chief of the United States Bureau of Animal Industry, August 21, 1884, informing me that D. H. Frisbee, of Cynthiana, had recently purchased twenty head of cattle from the herd of M. G. Clark, of Genoa, Illinois, which was undoubtedly suffering from contagious pleuro-pneumonia at the time, and suggesting the immediate prohibition of shipments from Frisbee's. I at once gave the matter my earnest attention, but after careful investigation was unable to find any law authorizing me to interfere officially, or otherwise, with any such shipments; the only legal remedy in such cases, either under the statute or at common law, being vested in the judicial department of the government.

On the 24th of the following September, I received a communication from the Honorable County Judge and the Justices of the Court of Claims of Fayette county, calling my attention to the fact that the disease known as pleuro-pneumonia had made its appearance in an extensive herd of cattle at Cynthiana, in Harrison county, and suggesting that I might be able to indicate some means by which the calamity to be apprehended from its dissemination might be averted. A copy of which, together with my reply thereto, I have also the honor to transmit herewith.

Subsequently, I received a communication from Dr. J. N. McCormack, Secretary of the State Board of Health, dated July 26, 1885, informing me that he had effected arrangements with the owners of cattle infected with pleuro-pneumonia, at Cynthiana, from which he had every reason to hope that the disease was under complete control, and requesting me to use my influence to have the quarantine existing in other States against the introduction of cattle from this State, either raised or so modified as to apply only to Harrison county. In pursuance of that request, I immediately prepared a circular letter, which I caused to be printed, with a view of sending a copy to the Governor of each of these States. Having learned, however, that

Dr. McCormack was mistaken as to the efficiency of the arrangement referred to by him, I declined to issue the circular until I should be more fully advised. The matter having again been brought to my attention, incidentally, I addressed a communication to W. H. Wray, Inspector of the Bureau of Animal Industry, on duty at Cynthiana, asking full information as to the condition of the disease in that locality, in answer to which I received the letter dated November 11, herewith transmitted. I have also the honor to lay before you the letter from Dr. McCormack and a copy of my circular above referred to.

The foregoing are all the documents in my possession relating to the subject.

I have the honor to be, very respectfully,

Your obedient servant,

J. PROCTOR KNOTT.

Mr. Burnett moved that the rules be suspended, and that the Senate take up and recommit to the Committee on Public Health the information received from the Governor regarding pleuro-pneumonia, and a bill and pending amendments, entitled

An act in relation to contagious and infectious diseases of cattle.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Burnett and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. J. Caudill,	W. F. Neat,
S. H. Boles,	F. M. Clement,	J. W. Ogilvie,
J. W. Bryan,	John Feland,	F. D. Rigney,
R. A. Burnett,	R. G. Hays,	F. T. D. Wallace,
W. W. Bush,	S. E. Hill,	D. H. Smith—16.
A. R. Byers,		

Those who voted in the negative, were—

M. C. Alford,	J. D. Harris,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	E. R. Sparks,
W. M. Cravens,	J. H. McDanell,	W. H. Taulbee,

Henry Dixon, L. W. McKee, R. S. Triplett,
W. H. Frederick, J. N. Price, E. L. Worthington,
G. G. Gilbert, J. T. Simon, Robert Walker—19.
T. S. Grundy,

Mr. Neat, from the Committee on Enrollments, reported that the Committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Paducah Electric Light and Heating Company," approved March 20, 1880;

An act to create the office of County Treasurer of Meade county;

Resolution providing for joint meetings of the Committees on State Prisons in the two Houses;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Represenattives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Neat reported that the committee had performed that duty.

The Speaker laid before the Senate the response of the Auditor of Public Accounts to a resolution adopted by the Senate on 12th inst., asking information as to what fund the printing ordered by the Geological Bureau for the last two fiscal years was paid, and by what authority same was paid.

Said response was taken up and read as follows, viz:

STATE OF KENTUCKY,
OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,
FRANKFORT, January 14, 1886.

HON. J. R. HINDMAN, *Speaker of the Senate:*

SIR: In reply to Senate resolution directing "that the Auditor inform the Senate from what fund the printing ordered by the Geological Bureau for the last two fiscal years has been paid, and the authority therefor," I have the honor to say: That the printing ordered by the Geological Bureau for the last two fiscal years has been paid out of the General Expenditure

Fund, and I offer the following opinion of the Attorney General as my authority for so doing:

[Copy] "FRANKFORT, June 10, 1884.

"HON. P. W. HARDIN, *Attorney General:*

"DEAR SIR: There is a question between the State Geologist and myself as to how the public printing and binding required by the Survey shall be paid. Please examine act approved April 19, 1884, and advise me as to whether such expenditure shall be charged to the appropriation for that Bureau, or whether it shall be charged to the general account of Public Printing and Binding.

[Signed] "FAYETTE HEWITT, *Auditor.*"

[Copy] "FRANKFORT, June 10, 1884.

"FAYETTE HEWITT, *Auditor of Public Accounts:*

"DEAR SIR: Yours of this date, requesting an examination of the act of April 19, 1884, and my construction of so much of it as relates to the printing of the reports and publications, with the further request that I advise you as to whether the expense of such printing shall be charged to the appropriation for the Bureau, or whether it shall be charged to the general account of public printing and binding, has been received. The act provides an appropriation of seventeen thousand five hundred dollars in the aggregate, but specifically names what part of this sum shall be devoted to each of five distinctly enumerated purposes; in other words, the act fixes the sum and clearly defines and names the purpose for which it is appropriated, and section 2, in the plainest terms, limits the appropriation to the purposes specified. The act thereafter provides that certain reports and publications shall be printed by the Public Printer at the same charges and upon the same terms as similar work is done for the State. The cost of the printing not being provided for, and absolutely by the terms of the act excluded from the appropriation, must, of course, be charged to the general account of Public Printer and Binder. This view is strengthened by an examination of the act of 1882, with the same title and for the same purpose as the act now under consideration. This act is almost

an exact copy of the act of 1882, except that this act fails to provide that the cost of printing shall come out of the appropriation.

"It is to be presumed that the Legislature that passed the law of 1884 knew the law of 1882 on the same subject; in fact, from a comparison of the two acts, it appears that they had the law before them and intentionally excluded from the act of 1884 that part of the act of 1882 which charged this printing to the appropriation. In any event, it is plainly excluded from the appropriation, and as the printing is plainly authorized by the act, there is nothing left but to charge to the general account of Printing and Binding.

[Signed] "P. W. HARDIN, *Attorney General.*"

All of which is respectfully submitted.

Yours truly,

FAYETTE HEWITT, *Auditor.*

Mr. Hays moved that the rules be suspended in order to take up for consideration a bill from the House of Representatives, entitled

An act for taking the sense of the good people of this Commonwealth as to the necessity and expediency of calling a convention to amend the Constitution, and to provide for ascertaining the number of citizens entitled to vote for Representative within this State.

And the question being taken thereon, it was decided in the negative.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills and resolutions which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Newport, and removing certain qualifications of City Engineer.

An act to amend an act, entitled "An act to incorporate the Washington County Railroad District, and to define the powers, duties, and privileges of the same," approved March 12, 1884.

Resolution requiring the State Geologist to report money expended.

Resolution directing Librarian to furnish members of General Assembly with stationery: *Provided*, They pay for same and money to be paid into Treasury.

Resolution directing Adjutant General to fire national salute in honor of American victory at New Orleans.

Resolution requesting Public Printer to furnish detailed statement as to the amount of money received by him from State Treasury on account of printing, etc., for Geologist.

Leave was given to bring in the following bills, viz:

On motion of Mr. McKee—

1. A bill to remove what is commonly called the "Back Capitol."

On motion of Mr. D. H. Smith—

2. A bill to amend chapter 29, Revised Statutes.

On motion of Mr. Frederick—

3. A bill to repeal the act passed May 10, 1884, allowing the county or any precinct of Jefferson county to vote $20,000 to Louisville Southwestern Railroad Company.

Ordered, That the Committee on Library, Public Buildings, and Offices prepare and bring in the 1st; the Committee on General Statutes the 2d, and the Committee on Railroads the 3d.

The Senate, according to order, took up for consideration the unfinished special order of yesterday, being a bill, entitled

An act in relation to infectious and contagious diseases of cattle.

[*For bill and amendments, see Senate Journal of January 13th and 14th.*]

Mr. Burnett moved to recommit said bill and pending amendments to the Committee on Health.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Burnett and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. J. Caudill,	J. W. Ogilvie,
S. H. Boles,	F. M. Clement,	F. D. Rigney,
J. W. Bryan,	John Feland,	F. T. D. Wallace,
R. A. Burnett,	R. G. Hays,	J. T. Simon,
W. W. Bush,	W. F. Neat,	D. H. Smith—15.

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	J. R. W. Smith,
A. R. Byers,	J. D. Harris,	E. R. Sparks,
C. M. Clay, Jr.,	S. E. Hill,	W. H. Taulbee,
W. M. Cravens,	L. M. Martin,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	L. W. McKee,	Robert Walker—20.
G. G. Gilbert,	J. N. Price,	

The question pending being on the substitute proposed by Mr. Feland for said bill, which reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, Whenever any contagious or infectious disease affecting cattle shall exist in this State, it shall be the duty of the State Board of Health to take measures to suppress the same promptly and effectively, and to prevent the same from spreading.

§ 2. For such purpose the State Board of Health shall have power: To issue their proclamation stating that infectious or contagious disease exists in any county or counties of the State, and warning all persons to seclude all animals in their possession that are affected with such disease, or have been exposed thereto, and ordering all persons to take such precautions against the spreading of such disease as the nature thereof may, in their judgment, render necessary or expedient; to order that any premises, farm or farms, where such disease exists, or has existed, be put in quarantine, so that no cattle be removed from or brought to the premises so quarantined, and to prescribe such regulations concerning the mode of quarantine as they may judge necessary or expedient to prevent infection or contagion being communicated in any way from the places so quarantined; to call on the Sheriffs and Deputy Sheriffs to assist in enforcing and carrying out the provisions of said proclamations and orders; whose duty it shall be to observe and obey all said orders and proclamations; to employ a veterinary surgeon and practitioner, and such other persons as may be necessary from time to time, in performing their duties as set forth in the provisions of this act; and to prescribe regulations for the destruction of such animals so affected, and for the proper disposition of their hides and carcasses, and of all objects which might convey infection or contagion: *Provided*, That no animal shall be destroyed by said Board, unless first examined by a veterinary practitioner, acting in the employ or under the direction of said Board, or unless the owner thereof knows that such cattle is so affected. Said Board shall also have power to prescribe regulations for the disinfection of all premises, buildings, and railway cars, and all objects by or from which infection may take place

or be conveyed, and to alter, modify, cancel, or withdraw any of said proclamations, orders, or regulations, whenever they may deem it proper so to do.

§ 3. Any person transgressing, violating, or failing to comply with the terms of any proclamation, order, or regulation issued or prescribed by the Board, shall be guilty of a misdemeanor, and, on indictment, be fined in a sum not less than two hundred nor more than one thousand dollars. And any person, or persons, being the owner of any cattle affected with the contagious disease known as pleuro-pneumonia, and knowing the same to be so affected, who fails to kill and bury or burn them, or fails to report the same at once to the State Board of Health, shall be fined for each offense in a sum not less than two hundred nor more than one thousand dollars, in the discretion of the jury; and the said Board, upon the failure of any such person to immediately kill said diseased cattle when ordered by the Board so to do, shall have the right to kill the same at the owner's expense.

§ 4. Any person bringing cattle into this Commonwealth having the said disease, pleuro-pneumonia, and knowing or having reasonable grounds to believe the same to be so affected, shall be deemed guilty of a felony, and on indictment and conviction, be confined in the penitentiary not less than one nor more than four years, in the discretion of the jury.

§ 5. Any person being the owner of cattle affected with pleuro-pneumonia, and knowing the same to be so affected, or knowing the same to have been exposed thereto, who drives or causes the same to be driven upon a public highway, or sells or transfers the same to another, shall, on indictment and conviction, be fined in a sum not less than two hundred nor more than one thousand dollars, in the discretion of the jury.

§ 6. The State Board of Health shall have the power to employ a veterinarian, who shall be a regular practitioner and a graduate of some college of veterinary surgery and practice, whose duty it shall be to render such services under this act as the Board may direct. Said veterinarian shall be entitled for the services rendered to a sum not exceeding ten ($10) dollars per day and traveling expenses, for the time he is actually engaged at work for said Board. The President of the Board shall certify to the Auditor of Public Accounts the amount due to the veterinarian, and the same shall be paid by the State Treasurer upon the warrant of the Auditor. The veterinarian shall receive nothing from any other person for examinations and work done at the instance of said Board, and in the event he does he shall, upon indictment and conviction, be fined in a sum not less than two hundred nor more than one thousand dollars, in the discretion of the jury.

§ 7. In order to effectually carry out the provisions and intentions of this act, the said Board may engage and obtain the services of any veterinarian in the employ of the Federal Govern-

ment of the United States, and otherwise co-operate with the proper department of said Federal Government in the suppression of said disease in this Commonwealth.

§ 8. The Governor shall, in addition to the number of persons now on said State Board of Health, appoint three discreet and intelligent housekeepers engaged in the cattle business, whose duty it shall be to serve on said Board, without any charge for services, but said three persons shall only have the right and power to act thereon with reference to matters embraced in this act.

§ 9. If any person shall be convicted of a violation of the third, fourth, or fifth sections of this act, the jury shall have power to determine by their verdict whether or not such person is, at the time of his trial and conviction, the owner of any cattle which have been exposed to said disease, by having been within the same inclosure with a diseased animal within four months next before the trial, and if they find he has such cattle they will find the number, sex, and distinguishing marks, and it shall be the duty of the court to order the destruction of said cattle by the Sheriff, at the owner's expense, and the expenses thereof shall be taxed as costs in the case.

§ 10. In order the more effectually to stamp said disease in this Commonwealth, and to encourage those persons whose cattle may be affected therewith or exposed thereto to make the same known, the sum of five thousand dollars is appropriated out of any money that may be in the Treasury not otherwise appropriated, for which sum the Auditor shall, at the request of the State Board of Health, draw his warrant in their favor upon the Treasurer. Said Board may use said sum, or any part of it in their discretion for the purchase and destruction of any cattle which may have been exposed to said disease, but which do not actually have the same, and if all of said sum is not so used, they shall return the remainder to the Treasury.

§ 11. In purchasing said cattle, said Board shall in no case pay more than seventy-five dollars for any one animal, nor shall they pay for any cattle whose owner has concealed the existence of said disease among his cattle or on his premises, or has in any way by intentional act or by willful neglect, contributed to the spread of the disease.

§ 12. Should said disease make its appearance hereafter in any portion of the State where it has not heretofore existed, the Governor, if the General Assembly be not in session, shall have the power to direct the application by said Board of a sum not exceeding one thousand dollars, for the purpose of paying for such cattle as may be exposed to, but not actually affected by said disease, upon the conditions and limitations hereinafter prescribed, and such other conditions and limitations as he may prescribe. Said sum, upon the written order of the Governor, shall be paid to said Board out of the Treasury, upon the warrant of the Auditor.

§ 13. The Board of Health shall keep and report to the General Assembly an itemized account of their expenditures under this act.

§ 14. Whereas, The State Board of Health shall have information of the existence of pleuro-pneumonia in any other State or country, they shall have power to quarantine against the cattle of such State or locality to prevent the importation of said disease into the Commonwealth, upon such terms and conditions as the said Board may prescribe.

§ 15. The veterinarian selected by the Board of Health shall be known as the State Veterinarian.

§ 16. This act shall take effect from and after its passage.

Mr. Martin moved the previous question.

And the question being taken "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	J. D. Harris,	D. H. Smith,
A. R. Byers,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	E. R. Sparks,
W. M. Cravens,	J. H. McDanell,	W. H. Taulbee,
John Feland,	L. W. McKee,	R. S. Triplett,
W. H. Frederick,	J. N. Price,	E. L. Worthington,
G. G. Gilbert,	J. T. Simon,	Robert Walker—22.
T. S. Grundy,		

Those who voted in the negative, were—

R. T. Albritton,	W. J. Caudill,	W. F. Neat,
S. H. Boles,	F. M. Clement,	J. W. Ogilvie,
J. W. Bryan,	Henry Dixon,	F. D. Rigney,
R. A. Burnett,	R. G. Hays,	F. T. D. Wallace—13.
W. W. Bush,		

Mr. D. H. Smith moved to reconsider the vote by which the main question was ordered.

Mr. Martin moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Hays, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
J. W. Bryan,	T. S. Grundy,	F. D. Rigney,

W. W. Bush, J. D. Harris, J. T. Simon,
A. R. Byers, R. G. Hays, J. R. W. Smith,
W. J. Caudill, S. E. Hill, E. R. Sparks,
C. M. Clay, Jr., L. M. Martin, W. H. Taulbee,
W. M. Cravens, J. H. McDanell, R. S. Triplett,
John Feland, L. W. McKee, E. L. Worthington,
W. H. Frederick, J. W. Ogilvie, Robert Walker—27.

Those who voted in the negative, were—

R. T. Albritton, F. M. Clement, D. H. Smith,
S. H. Boles, Henry Dixon, F. T. D. Wallace—8.
R. A. Burnett, W. F. Neat,

Mr. D. H. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Rigney, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton, R. G. Hays, F. D. Rigney,
J. W. Bryan, W. F. Neat, F. T. D. Wallace—6.

Those who voted in the negative, were—

M. C. Alford, John Feland, J. W. Ogilvie,
S. H. Boles, W. H. Frederick, J. N. Price,
R. A. Burnett, G. G. Gilbert, D. H. Smith,
W. W. Bush, T. S. Grundy, J. R. W. Smith,
W. J. Caudill, J. D. Harris, E. R. Sparks,
C. M. Clay, Jr., S. E. Hill, W. H. Taulbee,
F. M. Clement, L. M. Martin, R. S. Triplett,
W. M. Cravens, J. H. McDanell, E. L. Worthington,
Henry Dixon, L. W. McKee, Robert Walker—27.

The question was then taken on the adoption of the amendment proposed by Mr. Feland as a substitute for said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Martin, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton, W. H. Frederick, J. N. Price,
M. C. Alford, G. G. Gilbert, F. D. Rigney,
S. H. Boles, T. S. Grundy, J. T. Simon,
J. W. Bryan, J. D. Harris, D. H. Smith,

R. A. Burnett, R. G. Hays, J. R. W. Smith,
A. R. Byers, S. E. Hill, E. R. Sparks,
W. J. Caudill, L. M. Martin, W. H. Taulbee,
C. M. Clay, Jr., J. H. McDanell, R. S. Triplett,
F. M. Clement, L. W. McKee, F. T. D. Wallace,
W. M. Cravens, W. F. Neat, E. L. Worthington,
Henry Dixon, J. W. Ogilvie, Robert Walker—34.
John Feland,

In the negative—W. W. Bush—1.

Mr. Hays moved to reconsider the vote by which said substitute was adopted.

Mr. Martin moved to lay said motion on the table.

Mr. D. H. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton, F. M. Clement, J. T. Simon,
S. H. Boles, R. G. Hays, F. T. D. Wallace,
J. W. Bryan, W. F. Neat, D. H. Smith—11.
R. A. Burnett, F. D. Rigney,

Those who voted in the negative, were—

M. C. Alford, W. H. Frederick, J. W. Ogilvie,
W. W. Bush, G. G. Gilbert, J. N. Price,
A. R. Byers, T. S. Grundy, J. R. W. Smith,
W. J. Caudill, J. D. Harris, E. R. Sparks,
C. M. Clay, Jr., S. E. Hill, W. H. Taulbee,
W. M. Cravens, L. M. Martin, R. S. Triplett,
Henry Dixon, J. H. McDanell, E. L. Worthington,
John Feland, L. W. McKee, Robert Walker—24.

Mr. D. H. Smith moved that the Senate do now adjourn until 7:30 o'clock this P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Burnett, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton, F. M. Clement, F. D. Rigney,
S. H. Boles, R. G. Hays, D. H. Smith—7.
J. W. Bryan,

Those who voted in the negative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
R. A. Burnett,	T. S. Grundy,	J. T. Simon,
W. W. Bush,	J. D. Harris,	J. R. W. Smith,
A. R. Byers,	S. E. Hill,	E. R. Sparks,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	J. H. McDanell,	R. S. Triplett,
W. M. Cravens,	L. W. McKee,	F. T. D. Wallace,
Henry Dixon,	W. F. Neat,	E. L. Worthington,
John Feland,	J. W. Ogilvie,	Robert Walker—28.
W. H. Frederick,		

Mr. Bryan moved that the Senate do now adjourn until 8 o'clock this P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	F. M. Clement,	D. H. Smith,
J. W. Bryan,	F. D. Rigney,	F. T. D. Wallace—7.
R. A. Burnett,		

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	W. F. Neat,
W. W. Bush,	G. G. Gilbert,	J. W. Ogilvie,
A. R. Byers,	T. S. Grundy,	J. N. Price,
W. J. Caudill,	J. D. Harris,	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	E. R. Sparks,
W. M. Cravens,	L. M. Martin,	W. H. Taulbee,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
John Feland,	L. W. McKee,	R. S. Triplett—24.

Pending the further consideration of said bill, Mr. Sparks moved that the rules be suspended, and that the session of the Senate be extended until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Bryan moved that when the Senate adjourn, it adjourn to meet again at 7:30 o'clock this P. M.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Feland, and by unanimous consent, all

motions and votes on the bill under consideration are reconsidered, and said bill with all substitutes and amendments, and all papers connected therewith, including the special message of the Governor, are referred back to the Committee on Health, with directions to report at 11 o'clock A. M., next Tuesday, the 19th inst., at which time said bill shall be taken up and disposed of in preference to all other matters, it being agreed that in explaining his vote each member shall have the right to speak 30 minutes, but no mere dilatory motions shall be made or entertained.

On motion of Mr. D. H. Smith, the Senate then adjourned.

The Senate met pursuant to adjournment, and took up for consideration a bill from the House of Representatives, entitled

An act for taking the sense of the good people of this Commonwealth as to the necessity and expediency of calling a Convention to amend the Constitution, and to provide for ascertaining the number of citizens entitled to vote for Representative within this State.

Said bill reads as follows, viz:

WHEREAS, Experience has pointed out the necessity of amending the Constitution and the expediency of calling a Convention for that purpose; therefore

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That at the next general election for Representatives to the General Assembly, it shall be the duty of the several Sheriffs and other officers of election to open a poll for and make a return to the Secretary of State, for the time being, of the names of all citizens entitled to vote for Representatives, who have voted at the said election for calling a Convention for the purpose of re-adopting, amending or changing the Constitution.

§ 2. That any Sheriff or other returning officer failing to perform the duty imposed by the first section of this act, shall be subject to a fine of six hundred dollars ($600), to be recovered by indictment of the grand jury in any court having jurisdiction thereof, and shall, upon conviction of such failure, be removed from office by the court in which such conviction is had.

§ 3. That for the purpose of ascertaining the number of citizens entitled to vote for Representatives within this State in the year 1887, there shall be furnished as hereinafter provided to the Sheriffs and other officers of the election in August, 1887,

a registration book, in which the officers of the election shall record the names of all citizens entitled to vote for Representative within this State at the said election. The officers of the election shall be *ex officio* officers of registration, and shall have said registration book open for the record of said names between the hours of six (6) o'clock A. M. and seven (7) o'clock P. M. on the day of the August, 1887, election at all the voting places in this Commonwealth; and it shall be the duty of all citizens of this Commonwealth who are entitled to vote for Representatives on the day of the next general election in August, 1887, to go before the Sheriff and other returning officers of said election in the voting precinct in which they are severally entitled to vote, and cause themselves to be registered on the poll-book as qualified voters of this Commonwealth, and the names of any and all citizens living in the district known to said officers to be entitled to vote for Representative, or made known to them by evidence on that day, shall be registered as not voting. And in the year 1887 no other officer shall be authorized to make any list or return of the qualified voters of this Commonwealth, nor shall any return thereof, except the registration books and certificates provided for by this act, be made; and all laws requiring list or returns of such qualified voters are hereby repealed so far as the year 1887 is embraced therein. The total number of votes so registered shall be the true number of citizens entitled to vote for Representative within this State for the purpose of ascertaining whether a majority of all the citizens of this State entitled to vote for Representative vote for calling a Convention for the purpose of re-adopting, amending or changing the Constitution.

§ 4. The said registration books shall be appropriately ruled and headed, so that they may, and it is hereby enacted that the same shall, be the poll-books for recording the votes for and against the calling of the Constitutional Convention, and for ascertaining the number of citizens entitled to vote for Representative within the State. It shall be the duty of the said officers of election to propound to every voter the question, "Do you vote for calling a Constitutional Convention or not?" If such voter shall answer in the affirmative, his name shall be recorded as voting for said Convention; if such voter shall answer in the negative, his name shall be recorded as voting against said Convention; and if such voter makes no answer, his name shall be recorded or registered as not voting upon said question; and it shall be the duty of the officers holding the election at each voting place in the State to certify the total number of voters registered, and the number voting for calling the Constitutional Convention, and to make out a duplicate certificate showing said facts. The registration book shall be by them immediately sent, at the expense of the Commonwealth, by mail to the Secretary of State at Frankfort, Kentucky, and the duplicate certi-

ficate attached to the poll-book for the election of State officers, and returned therewith as now directed by law.

§ 5. The Secretary of State in office at the convening of the General Assembly next after the election in August, 1887, shall immediately, upon the organization of the same, transmit to each house a statement prepared by him from the said registration and poll-books, showing how many votes were, at the said election, cast in favor of said Convention, and the total number of voters registered, whether voting for or against, or not at all. The report shall be made up by counties. He shall retain the registration books for the use of examination and inspection of the next General Assembly.

§ 6. It shall be the duty of the officers, whose duty it is by law, to compare and certify the votes for State officers to make out from the certificates returned with the State election poll-books, as above provided, and at the time they certify the votes for State officers, a certificate by voting places, showing the total number of votes registered and the number voting for calling a Constitutional Convention and to send the certificate to the Secretary of State; and if the registration book, provided for above, shall, as to any voting place, be lost, destroyed or not returned, then the Secretary of State, in making the report to the General Assembly, shall use the information in the certificate as to any such district or precinct, and he shall, moreover, use the certificate to show that he has, or has not, the registration book for each voting place in each county named in said certificate.

§ 7. It shall be the duty of the Secretary of State immediately after the adjournment of this General Assembly to make out the form of a registration book and certificates to be made and used as herein provided, and to furnish the same to the Public Printer forthwith, and it shall be the duty of the said Public Printer to make up and bind in the usual form one registration book, with a certificate thereon, for each voting place in the State, also the duplicate certificate and the county certificate, and send the same to the several Sheriffs, who shall see that they are delivered and used at the various voting places as herein required.

§ 8. That any officer failing to do or perform any of the acts or duties enjoined upon him by the third, fourth, fifth, sixth and seventh sections of this act, shall be subject to a fine of five hundred dollars ($500), to be recovered by indictment of any grand jury in any court having jurisdiction thereof, and shall, upon conviction, be removed from office by the court in which said conviction is had.

§ 9. That it shall be the duty of the Secretary of State to have this act advertised in one weekly newspaper in each county of this Commonwealth, wherein there is such paper published, for four weeks, and in one of the daily papers of the city of Louisville, for thirty days immediately preceding the election; and in every county said Secretary shall cause to be posted at the court-house door, a copy of this act, printed in hand-bill form, for at least four consecutive weeks before such election.

§ 10. It shall be the duty of the Public Printer to print 10,000 copies of this act upon a separate sheet of paper and deliver them to the Secretary of State, who shall forward the same to the County Clerks of the various counties in this State in such numbers as to provide at least two copies thereof for each voting precinct; said Clerks shall deliver the same to the Sheriffs or other officers acting in the place thereof; and it shall be the duty of such Sheriff or other officer to post one copy of said act at each voting place, and another copy at some other suitable public place in said precinct, four weeks prior to the election. Any officer failing to discharge the duties prescribed in this section of this act, shall be fined for each and every failure twenty dollars, to be recovered in any court having jurisdiction thereof.

§ 11. This act shall take effect and be in force from and after its passage.

Mr. Boles proposed the following amendment to said bill:

Amend the bill by striking out all after section 2 thereof, and inserting the following: "That for the purpose of ascertaining the number of citizens entitled to vote for Representative in the year 1887, and for making returns of the election hereby ordered, it is now enacted that sections 3, 4, 5, 6, 7, 8, and 9 of chapter 27 of the General Laws of this Commonwealth, passed at the regular session of this General Assembly in 1883, 1884, entitled "An act to take the sense of the good people of this Commonwealth as to the necessity and expediency of calling a Convention to amend the Constitution, and to ascertain the number of persons entitled to vote for Representatives be, and the same are hereby, re-enacted."

Mr. Alford moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Boles to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alford and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	F. M. Clement,	W. F. Neat,
S. H. Boles,	Henry Dixon,	J. W. Ogilvie,
R. A. Burnett,	John Feland,	F. D. Rigney—11.
A. R. Byers,	W. H. Frederick,	

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	J. D. Harris,	D. H. Smith,
W. W. Bush,	R. G. Hays,	E. R. Sparks,
W. J. Caudill,	S. E. Hill,	W. H. Taulbee,
C. M. Clay, Jr.,	L. M. Martin,	F. T. D. Wallace,
W. M. Cravens,	L. W. McKee,	E. L. Worthington,
G. G. Gilbert,	J. N. Price,	Robert Walker—21.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Mr. Alford moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Boles, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	F. D. Rigney,
S. H. Boles,	J. D. Harris,	J. T. Simon,
J. W. Bryan,	R. G. Hays,	D. H. Smith,
W. W. Bush,	S. E. Hill,	E. R. Sparks,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	L. W. McKee,	F. T. D. Wallace,
W. M. Cravens,	J. W. Ogilvie,	E. L. Worthington,
W. H. Erederick,	J. N. Price,	Robert Walker—25.
G. G. Gilbert,		

Those who voted in the negative, were—

R. T. Albritton,	A. R. Byers,	John Feland,
S. H. Boles,	F. M. Clement,	W. F. Neat—8.
R. A. Burnett,	Henry Dixon,	

Mr. Taulbee moved to reconsider the vote by which the Senate had passed said bill.

Mr. Alford moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. D. H. Smith, the Senate then adjourned.

SATURDAY, JANUARY 16, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had concurred in amendments proposed by the Senate, to bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate and establish a bank of deposit and discount at Burlington, in Boone county.

An act to incorporate the town of Eubanks, in Pulaski county.

That they had concurred in the adoption of resolutions and passed bills which orginated in the Senate, of the following titles, viz:

Resolution raising a joint committee to ascertain and report the condition of the accounts of the State Auditor and Treasurer.

Resolution requesting Secretary of State to report settlements filed with him by the State Auditor and Treasurer of receipts and disbursements of public money.

An act to amend the charter of the Second Presbyterian Church of Hopkinsville.

An act to amend an act authorizing the Lawrence County Court to issue bonds.

That they had adopted a resolution and passed bills of the following titles, viz:

1. Resolution calling upon the Secretary of the State Board of Health for a report.

2. An act to repeal an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1876.

3. An act to amend an act, entitled "An act establishing a fence and stock law in that portion of Hancock county known as Lewis' Bottom, in said county.

Which resolution and bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said resolution and bills being dispensed with,

They were referred—the 1st, the resolution, to the Committee on Public Health; the 2d to the Committee on Fish Culture, and the 3d to the Committee on Propositions and Grievances.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in the same, reported a bill, entitled

An act to amend the charter of the Citizens' Gas-light Company, of Louisville, Kentucky.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and reads as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 16, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

W. P. Lee, for the county of Jefferson.
E. S. Porter, for the county of Jefferson.
Lewis Barret, for the county of Jefferson.
John S. Geisler, for the county of Campbell.
Wm. Ramsey, for the county of Breckinridge.
T. M. Dora, for the county of Bracken.
Isaac Hoffman, for the county of Anderson.
W. A. Cooke, for the county of Warren.
W. J. Potter, for the county of Warren.
Joseph C. Hykins, for the county of Wolfe.
Chas. T. Wilson, for the county of Harrison.
James B. Moore, for the county of Butler.
C. W. Stone, for the county of Woodford.
J. M. Johnson, for the county of Anderson.

A. H. Parker, for the county of Lewis.
H. C. Kauffman, for the county of Garrard.
Garnett D. Ripley, for the county of Jefferson.

Very respectfully,
J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

By Mr. Martin, from the Committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of John W. Clark, administrator of Joseph W. Oliver, deceased, late Sheriff of Lyon county," approved February 5, 1884.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act regulating the jurisdiction of Justices of the Peace of Floyd and Johnson counties.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Taulbee, from the Committee on Courts of Justice, to whom was referred leave to bring in the same, reported a bill, entitled

A bill for the benefit of the Judge of the Wolfe County Court.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. D. H. Smith,

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. Hays moved to suspend the rules, and take up for consideration a resolution which originated in the House of Representatives, entitled

Joint rules of Senate and House of Representatives.

And the question being taken thereon, it was decided in the affirmative.

Said resolution read as follows, viz:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky, That the following be, and the same are hereby, adopted as joint rules of both Houses of the said General Assembly:

JOINT RULE 1. It shall not be in order to entertain any bill for the incorporation of any company, or in relation to any local or private matter, over the subject of which other tribunals of government have jurisdiction, or the object of which can be attained under the provisions of the general laws of the State.

JOINT RULE 2. When any committee reports to the House or Senate any bill, originating in the House to which it is reported, for the incorporation of any company, or in relation to any local or private matter, the said committee shall say in its report whether or not said bill is within the inhibition of Joint Rule No. 1, and if the bill is reported to be within the inhibition of the said Joint Rule No. 1, it shall be immediately declared out of order, and no longer entertained by the House to which it is reported: *Provided, however*, That if any committee shall report any such bill as within or not within the inhibition of the said Joint Rule, and question is made by any member as to the correctness of their report on such question, the Speaker of the House to which it is so reported may recommit said bill to any of the standing law committees of the said House, to report on the question so raised, and their report thereon shall be conclusive.

JOINT RULE 3. None of the provisions of Joint Rules 1 and 2 shall be suspended unless on a call of the roll; three-fourths of the members elected to both Houses shall order the same to be done.

JOINT RULE 4. When bills are on their passage between the two Houses, they shall be on paper, and under the signature of the Clerk of each House respectively.

JOINT RULE 5. After a bill shall have passed both Houses, it shall be duly enrolled on paper, and under the signature of the Clerk of each House respectively.

JOINT RULE 6. When bills are enrolled, they shall be examined by a joint committee of three from the Senate and six from the House of Representatives, appointed as a standing committee for that purpose; one of whom on the part of the Senate, and two from the House of Representatives, shall be sufficient to compare the enrolled with the engrossed bills, as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bills, make their report forthwith to their respective Houses.

JOINT RULE 7. After examination and report, each bill shall be signed in their respective Houses, first by the Speaker of the House of Representatives and then by the Speaker of the Senate.

JOINT RULE 8. After a bill shall have been thus signed by each House, it shall be presented by said committee to the Governor for his approbation—it being first indorsed on the back of the bill, certifying in which House the same originated; which indorsement shall be signed by the Clerk of the House in which the same did originate, and shall be entered on the Journal of each House. The said committee shall report the day of presentation to the Governor, which time shall be also carefully entered upon the Journal of each House.

JOINT RULE 9. All bills and resolutions passing from one House to the other shall be considered in the orders of the day when reported.

JOINT RULE 10. All orders and resolutions which are to be presented to the Governor for his approbation shall be also previously enrolled, examined and signed, and shall be presented in the same manner and by the same committee as is provided in cases of bills.

JOINT RULE 11. Every order, resolution or vote to which the concurrence of the Senate shall be necessary, shall be read to the House and laid on the table on a day preceding that in which the same shall be moved, unless the House shall otherwise expressly allow.

JOINT RULE 12. When any papers may come officially before

either branch of the Legislature, or any communication from the Governor, and are proper to be acted upon by both Houses, the House before which such papers are laid, or to whom such communications are made, shall, as soon as they have proceeded and acted on the same, lay them before the other House.

JOINT RULE 13. When there is a communication from the Governor, or a message from one House to the other, it shall be received without delay; if the House be in committee the Speaker shall resume the chair, and if any member be speaking he shall take his seat until the communication or message be received.

Rules for the Government of the two Houses, when in Joint Session.

JOINT RULE 14. A Joint Assembly of the two Houses shall be held in the Hall of the House of Representatives. The Speaker of the Senate shall occupy a seat on the right of the Speaker of the House, preside, preserve decorum, put questions, and decide all points of order; be governed by the Rules of the Senate, where they are applicable, and by parliamentary usage. The Clerk of the Senate shall be Chief Clerk, assisted by the Clerk of the House. They shall enter on the Journal of their respective Houses the proceedings of the Joint Assembly. In recording any vote the names of the Senators shall be first called, and all questions shall be determined by a majority of all the votes cast. The Sergeant-at-Arms of the Senate, assisted by the Sergeant-at-Arms of the House, shall perform the duties of that office to the Joint Assembly. A quorum for the transaction of business shall consist of a majority of all the members elected to both Houses.

Mr. D. H. Smith had heretofore proposed the following amendments to said resolution, viz:

Amendment 1. Amend by striking out Rule No. 1.

Amendment 2. Amend by striking out Rule No. 2.

Amendment 3. Amend by striking out Rule No. 3.

Amendment 4. Amend by striking out Rules Nos. 1, 2 and 3, and inserting in lieu thereof the following, viz: "Each House is, and ought of right to be its own judge of the character of bills it will entertain."

Mr. Hill had heretofore proposed the following amendment to said bill, viz:

Amend by adding to Rule No. 1 the following: "Except on Mondays and Saturdays."

Mr. Berry had heretofore proposed to amend said resolution by striking out Rule 3.

Mr. Taulbee moved to amend said resolution by striking out all of said rules except the Joint Rules of the last session.

Mr. Wallace proposed the following amendment to said resolution, viz:

Amend Joint Rule No. 3, by striking out the words "both Houses" in the third line of said Rule No. 3, and inserting in lieu thereof the following: "The House in which the suspension is asked."

The question was then taken on the adoption of the first amendment proposed by Mr. D. H. Smith to said resolution, and it was decided in the negative.

The question was then taken on the second amendment proposed by Mr. D. H. Smith to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Bush,	R. G. Hays,	W. H. Taulbee,
W. M. Cravens,	S. E. Hill,	F. T. D. Wallace,
John Feland,	D. H. Smith,	Robert Walker—10.
W. H. Frederick,		

Those who voted in the negative, were—

R. T. Albritton,	W. J. Caudill,	W. F. Neat,
S. H. Boles,	F. M. Clement,	J. W. Ogilvie,
J. W. Bryan,	G. G. Gilbert,	F. D. Rigney,
R. A. Burnett,	T. S. Grundy,	E. L. Worthington,
A. R. Byers,	L. M. Martin,	J. T. Simon—15.

The question was then taken on the third amendment proposed by Mr. D. H. Smith to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Bush,	R. G. Hays,	W. H. Taulbee,
W. M. Cravens,	S. E. Hill,	F. T. D. Wallace,
John Feland,	J. T. Simon,	E. L. Worthington,
W. H. Frederick,	D. H. Smith,	Robert Walker—12.

Those who voted in the negative, were—

R. T. Albritton,	W. J. Caudill,	L. M. Martin,
S. H. Boles,	F. M. Clement,	W. F. Neat,
J. W. Bryan,	G. G. Gilbert,	J. W. Ogilvie,
R. A. Burnett,	T. S. Grundy,	F. D. Rigney—13.
A. R. Byers,		

The question was then taken on the fourth amendment proposed by Mr. D. H. Smith, and it was decided in the negative.

The question was then taken on the amendment proposed by Mr. Hill to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and Hill, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Clement,	R. G. Hays,	D. H. Smith,
W. M. Cravens,	S. E. Hill,	W. H. Taulbee,
John Feland,	J. W. Ogilvie,	Robert Walker—11.
W. H. Frederick,	J. T. Simon,	

Those who voted in the negative, were—

R. T. Albritton,	W. J. Caudill,	W. F. Neat,
S. H. Boles,	G. G. Gilbert,	F. D. Rigney,
J. W. Bryan,	T. S. Grundy,	E. L. Worthington,
R. A. Burnett,	L. M. Martin,	J. H. Wilson—13.
A. R. Byers,		

Mr. Martin objected to the consideration of the amendments proposed by Messrs. Berry and Taulbee, because the same had been previously voted upon.

The Speaker sustained the objection, and ruled said proposed amendments out of order.

The question was then taken upon the amendment proposed by Mr. Wallace to said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Wallace were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	R. G. Hays,	W. H. Taulbee,
A. R. Byers,	S. E. Hill,	Robert Walker,
W. M. Cravens,	J. W. Ogilvie,	F. T. D. Wallace,
John Feland,	J. T. Simon,	J. H. Wilson—14.
W. H. Frederick,	D. H. Smith,	

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	L. M. Martin,
J. W. Bryan,	G. G. Gilbert,	W. F. Neat,
R. A. Burnett,	T. S. Grundy,	F. D. Rigney—10.
W. J. Caudill,		

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

The Speaker, from the Committee on Rules, laid before the Senate the following report, viz:

"The Committee on Rules would respectfully report that they would recommend the adoption of the rules of the last Kentucky Senate for the government of this Senate, except rule sixty-seven (67); they also recommend the publication of two hundred copies for the use of the Senate and House of Representatives, including the Constitution of this State, the rules of the House of Representatives, and all of the joint rules of the two Houses now in force."

And the question being taken on the adoption of said report, it was decided in the affirmative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cravens—

1. A bill to amend an act, entitled "An act to incorporate the Madison and Southern Railway Company."

On motion of same—

2. A bill to secure better facilities for common schools, and proposing to appropriate fines and forfeitures imposed in this Commonwealth in aid of common schools.

On motion of same—

3. A bill to amend article 8, chapter 18, increasing the power of trustees in common schools.

On motion of same—

4. A bill to create an Advisory Board, which shall pass upon all petitions for remissions of fines and forfeitures before the Governor can remit such fines and forfeitures.

On motion of same—

5. A bill to better and cheapen the text-books in the common schools of this State, and to make them free to indigent pupils.

On motion of Mr. Gilbert—

6. A bill continuing in force an act to establish a Superior Court and to regulate same, approved April 22, 1882.

On motion of Mr. Walker—

7. A bill for the benefit of W. B. Foster, of Allen county.

On motion of Mr. Martin—

8. A bill to amend an act, entitled "An act to incorporate the Farmers' Deposit Bank, of Cynthiana."

On motion of same—

9. A bill to authorize the Harrison County Court to build a bridge across South Licking River, and to levy an ad valorem tax to pay for same.

Ordered, That the Committee on Railroads prepare and bring in the 1st; the Committee on Education the 2d, 3d and 5th; the Committee on General Statutes the 4th; the Committee on Courts of Justice the 6th and 7th; the Committee on Banks and Insurance the 8th; and the Committee on the Judiciary the 9th.

On motion of Mr. Hays, the Senate adjourned until Monday, at 11 o'clock A. M.

MONDAY, JANUARY 18, 1886.

The Journal of Saturday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution

which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Paducah Electric Light and Heating Company," approved March 20, 1880;

An act to create the office of County Treasurer of Meade county;

Resolution providing for joint meetings of the Committees on State Prisons in the two Houses;

That they had passed bills of the following titles, viz:

1. An act to amend section 4, of chapter 1532, entitled "An act authorizing the County Court of Laurel county to issue bonds for building court-house and clerks' offices," approved May 10, 1884.

2. An act to legalize the acts done by the Commissioners appointed by the Laurel County Court, in pursuance of an act, entitled "An act authorizing the Laurel County Court to issue bonds for building court-house and clerks' offices," approved May 10, 1884.

3. An act to amend section 3, chapter 7, of General Statutes.

4. An act for the benefit of the Independent Amazon Fire Engine and Hose Company, No. 3, of Maysville.

5. An act to prevent the unlawful hunting of game in Walton and Union voting precincts in Boone county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 2d to the Committee on Courts of Justice; the 3d to the Committee on General Statutes; the 4th to the Committee on the Judiciary; and the 5th to the Committee on Propositions and Grievances.

On motion of Mr. Clement, leave of absence, indefinitely, was granted Messrs. Burnett, Hill and McKee.

Mr. Wallace presented the petition of sundry citizens of common school district No. 3, in Boyd county, praying the passage of an act authorizing the trustees of said district to issue bonds to build and furnish a school house therein.

Which was received, the reading dispensed with, and referred to the Committee on Education.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives of the following titles, viz:

An act to incorporate and establish a bank of deposit and discount at Burlington, Boone county;

An act for the benefit of common school district No. 62, in Hart county;

An act to incorporate the town of Eubanks, in Pulaski county;

An act for taking the sense of the good people of this Commonwealth as to the necessity and expediency of calling a Convention to amend the Constitution, and to provide for ascertaining the number of citizens entitled to vote for Representative within this State;

Resolution to pay W. E. Railey, Sergeant-at-Arms of the last House of Representatives, for services rendered in the organization of the present House;

And an enrolled bill which originated in the Senate of the following title, viz:

An act to amend an act authorizing Lawrence County Court to issue bonds;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Boles read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of five, two from the Senate and three from the House of Representatives, to be appointed by the Speakers of the respective Houses be, and they are hereby, appointed for the purpose of investigating the vouchers of the

Commissioner of Agriculture, Horticulture, etc., in his office for the disbursement of the $2,000 annually appropriated for the past two years for his Bureau, and they will ascertain, and from their report say, how much of said appropriation has been consumed, and how or for what consumed, and whether any part of it has been consumed for objects not embraced in the act creating said Bureau; if so, how much, and for what objects. And for the purpose of enabling said committee to discharge this duty, they are authorized to send for persons and papers.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read, and adopted.

Mr. Bryan, from the Committee on Penitentiary and House of Reform, to whom was referred a resolution from the House of Representatives, entitled

Resolution requiring the Committee on State Prisons to hold open sessions in investigating the removal of Warden South.

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to incorporate the Henderson Street Railway Company.

By Mr. Boles, from the Committee on Codes of Practice—

A bill to amend section 334 of the Civil Code.

Which bills were read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Ogilvie, from the Committee on Religion and Morals, reported a bill, entitled

A bill to prohibit the sale or gift of vinous, spirituous or malt

liquors within two miles of Green Briar Baptist Church, in Daviess county, or within two miles of New Bethel Methodist Church in Ohio county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Triplett,

Ordered, That said bill be recommitted to said committee.

Mr. Ogilvie, from the Committee on Religion and Morals, to whom was referred leave to bring in the same, reported a bill, entitled

A bill to prevent the playing of base ball on the Sabbath day.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. J. R. W. Smith proposed an amendment to said bill.

Ordered, That said bill be printed and made the special order of the day for Friday, the 22d inst., at 11 o'clock A. M.

Mr. Boles, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

A bill to amend section 153 of the Criminal Code of Practice.

Asked to be discharged from the further consideration of the leave,

Which was granted.

Mr. Bryan read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That it proceed to elect a Public Librarian on Thursday, January 21st, 1886, at 12 o'clock M.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

The Senate took up for consideration a resolution, entitled

Resolution fixing a day for the election of a Public Printer and Binder.

The question pending being on concurring in the amendment proposed by the House of Representatives to said resolution,

Mr. D. H. Smith moved to lay said resolution and proposed amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend and continue in force the charter of the Breckinridge Bank, at Cloverport, in Breckinridge county.

The question pending being, shall the Senate recede from the amendment proposed by it to said bill?

And the question being taken thereon, it was decided in the negative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Boles—

1. A bill to amend title 4, section 52, of the Criminal Code of Practice.

On motion of Mr. Martin—

2. A bill to amend section 601 of the Civil Code of Practice.

On motion of Mr. Wallace—

3. A bill to authorize the trustees of common school district No. 3, in Boyd county, to issue bonds to build and furnish a school house and provide payment for same.

On motion of Mr. Caudill—

4. A bill to amend article 2, chapter 33, entitled "Elections," of the General Statutes.

Ordered, That the Committee on Codes of Practice prepare and bring in the 1st and 2d; the Committee on Education the 3d; and the Committee on General Statutes the 4th.

And then the Senate adjourned.

TUESDAY, JANUARY 19, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives announcing that they had concurred in the adoption of a resolution which originated in the Senate, entitled

Resolution providing for the election of a State Librarian.

That they had received official information from the Governor that he had approved and signed an enrolled bill which originated in the House of Representatives, entitled

An act for taking the sense of the good people of this Commonwealth as to the necessity and expediency of calling a Convention to amend the Constitution, and to provide for ascertaining the number of citizens entitled to vote for Representatives in this State.

That they had adopted a resolution and passed bills of the following titles, viz:

1. Resolution directing the Public Printer to print additional copies of the Journals of the two Houses.

2. An act to repeal an act, entitled "An act to provide for the improvement of the public roads in Hart county," approved April 15, 1882.

3. An act repealing an act, entitled "An act to amend an act incorporating the Vanceburg, Salt Lick, Tollsboro and Maysville Turnpike Road Company, of Lewis county," approved May 9, 1884, and preventing, repealing and invalidating any assessment, levy and collection of tax thereunder.

4. An act to amend an act incorporating the Lebanon, Gravel Switch and Rolling Fork Turnpike Road Company, in Marion and Washington counties.

Which resolution and bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said resolution and bill being dispensed with,

They were referred—the 1st, the resolution, to the Committee on Printing, and the 2d, 3d and 4th to the Committee on Internal Improvements.

Mr. Walker presented the petition of sundry citizens of

Allen county, praying the passage of an act incorporating Durham Spring Church in said county.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

Mr. Berry, from the Committee on Education, to whom was recommitted a bill, entitled

A bill for the benefit of the public schools of the Commonwealth in cities having a population of twenty thousand and over.

Reported the same without amendment.

Mr. Frederick moved that the rules be suspended and said bill ordered to a third reading.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	J. D. Harris,	J. T. Simon,
S. H. Boles,	R. G. Hays,	D. H. Smith,
W. M. Cravens,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	F. T. D. Wallace,
W. H. Frederick,	J. N. Price,	Robert Walker—17.
T. S. Grundy,	F. D. Rigney,	

Those who voted in the negative, were—

R. T. Albritton,	W. J. Caudill,	J. R. W. Smith,
M. C. Alford,	C. M. Clay, Jr.,	W. H. Taulbee,
J. W. Bryan,	F. M. Clement,	E. L. Worthington,
R. A. Burnett,	G. G. Gilbert,	R. S. Triplett—14.
A. R. Byers,	W. F. Neat,	

Mr. Caudill, from the Committee on Enrollments, reported that the Committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act regulating the jurisdiction of Justices of the Peace of Floyd and Johnson counties;

An act to amend an act, entitled "An act for the benefit of John W. Clark, administrator of Joseph W. Oliver, deceased, late Sheriff of Lyon county," approved February 5, 1884;

And enrolled resolutions which originated in the Senate of the following titles, viz:

Resolution to investigate the management of the Paper Contractor;

Resolution requesting Secretary of State to report settlements filed with him by the State Auditor and Treasurer of receipts and disbursements of public money;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Caudill reported that the committee had performed that duty.

Mr. Harris, from the Committee on Internal Improvements, reported a bill, entitled

A bill to amend and reduce into one the several acts respecting the town of Fulton, Fulton county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Martin, from the Committee on Public Health, to whom was recommitted a bill, entitled

An act in relation to infectious and contagious diseases of cattle.

Reported the same with an amendment as a substitute for said bill.

[*For bill, see Senate Journal Janiury 13th.*]

Said proposed substitute reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, Whenever any contagious or infectious disease affecting cattle shall exist in this State, it shall be the

duty of the State Board of Health to take measures to suppress the same promptly and effectively, to prevent the same from spreading.

§ 2. For such purpose the State Board of Health shall have power: To issue their proclamation stating that infectious or contagious disease exists in any county or counties of the State, and warning all persons to seclude all animals in their possession that are affected with such disease, or have been exposed thereto, and ordering all persons to take such precautions against the spreading of such disease as the nature thereof may, in their judgment, render necessary or expedient; to order that any premises, farm or farms, where such disease exists, or has existed, be put in quarantine, at the owner's expense, so that no cattle be removed from or brought to the premises so quarantined, and to prescribe such regulations concerning the mode of quarantine as they may judge necessary or expedient to prevent infection or contagion being communicated in any way from the places so quarantined; to call on the Sheriffs and Deputy Sheriffs to assist in enforcing and carrying out the provisions of said proclamations and orders; whose duty it shall be to observe and obey all said orders and proclamations; to employ a veterinary surgeon and practitioner, and such other persons as may be necessary from time to time, in performing their duties as set forth in the provisions of this act; and to prescribe regulations for the destruction of such animals so affected, and for the proper disposition of their hides and carcasses, and of all objects which might convey infection or contagion, at the owner's expense: *Provided*, That no animal shall be destroyed by said Board, unless first examined by a veterinary practitioner, acting in the employ or under the direction of said Board, or unless the owner thereof knows that such cattle is so affected. Said Board shall also have power to prescribe regulations for the disinfection of all premises, buildings, and railway cars and all objects by or from which infection may take place or be conveyed; and to alter, modify, cancel or withdraw any of said proclamations, orders or regulations, whenever they may deem it proper so to do.

§ 3. Any person transgressing, violating, or failing to comply with the terms of any proclamation, order or regulation issued or prescribed by the Board, shall be guilty of a misdemeanor, and, on indictment, be fined in a sum not less than two hundred nor more than one thousand dollars. And any person, or persons, being the owner of any cattle affected with the contagious disease known as pleuro-pneumonia, and knowing the same to be so affected, who fails to kill and bury or burn them, or fails to report the same at once to the State Board of Health, shall be fined for each offense in a sum not less than two hundred nor more than one thousand dollars, in the discretion of the jury; and the said Board, upon the failure of any such person to immediately kill said diseased cattle when ordered by the Board

so to do, shall have the right to kill the same at the owner's expense.

§ 4. Any person bringing cattle into this Commonwealth having the said disease, pleuro-pneumonia, and knowing or having reasonable grounds to believe the same to be so affected, shall be deemed guilty of a felony, and on indictment and conviction, be confined in the penitentiary not less than one nor more than four years, in the discretion of the jury.

§ 5. Any person being the owner of cattle affected with pleuro-pneumonia, and knowing the same to be so affected, or knowing the same to have been exposed thereto, who drives or causes the same to be driven upon a public highway, or sells or transfers the same to another, shall, on indictment and conviction, be fined in a sum not less than two hundred nor more than one thousand dollars, in the discretion of the jury.

§ 6. The State Board of Health shall have the power to employ a veterinarian, who shall be a regular practitioner and a graduate of some college of veterinary surgery and practice, whose duty it shall be to render such services under this act as the Board may direct. Said veterinarian shall be entitled, for the services rendered, to a sum not exceeding eight dollars per day and traveling expenses, for the time he is actually engaged at work for said Board to be paid out of the annual appropriation for said Board. The veterinarian shall receive nothing from any other person for examinations and work done at the instance of said Board, and in the event he does he shall, upon indictment and conviction, be fined in a sum not less than two hundred nor more than one thousand dollars, in the discretion of the jury.

§ 7. In order to effectually carry out the provisions and intentions of this act, the said Board may engage and obtain the services of any veterinarian in the employ of the Federal Government of the United States, and otherwise co-operate with the proper department of said Federal Government in the suppression of said disease in this Commonwealth.

§ 8. The Governor shall, in addition to the number of persons now on said State Board of Health, appoint three discreet and intelligent housekeepers engaged in the cattle business, whose duty it shall be to serve on said Board, without any charge for services, but said three persons shall only have the right and power to act thereon with reference to matters embraced in this act.

§ 9. If any person shall be convicted of a violation of the third, fourth or fifth sections of this act, the jury shall have power to determine by their verdict whether or not such person is, at the time of his trial and conviction, the owner of any cattle which have been exposed to said disease, by having been within the same inclosure with a diseased animal within four months next before the trial, and if they find he has such cattle they will find the number, sex, and distinguishing marks, and

it shall be the duty of the court to order the destruction of said cattle by the Sheriff, at the owner's expense, and the expenses thereof shall be taxed as costs in the case.

§ 10. In order the more effectually to stamp out said disease in this Commonwealth, and to encourage those persons whose cattle may be affected therewith or exposed thereto to make the same known, the sum of five thousand dollars is appropriated out of any money that may be in the Treasury not otherwise appropriated, for which sum the Auditor shall, at the request of the State Board of Health, draw his warrant in their favor upon the Treasurer. Said Board may use said sum, or any part of it in their discretion for the purchase and destruction of any cattle which may have been exposed to said disease, but which do not actually have the same, and if all of said sum is not so used, they shall return the remainder to the Treasury.

§ 11. In purchasing said cattle, said Board shall in no case pay more than fifty dollars for any one animal, nor shall they pay for any cattle whose owner has concealed the existence of said disease among his cattle or on his premises, or has in any way by intentional act or by willful neglect, contributed to the spread of the disease.

§ 12. Should said disease make its appearance hereafter in any portion of the State where it has not heretofore existed, the Governor, if the General Assembly be not in session, shall have the power to direct the application by said Board of a sum not exceeding one thousand dollars, for the purpose of paying for such cattle as may be exposed to, but not actually affected by said disease, upon the conditions and limitations hereinbefore prescribed, and such other conditions and limitations as he may prescribe. Said sum, upon the written order of the Governor, shall be paid to said Board out of the Treasury, upon the warrant of the Auditor.

§ 13. The Board of Health shall keep and report to the General Assembly an itemized account of their expenditures under this act.

§ 14. Whenever the State Board of Health shall have information of the existence of pleuro-pneumonia in any other State or country, they shall have power to quarantine against the cattle of such State or locality to prevent the importation of said disease into this Commonwealth, upon such terms and conditions as the said Board may prescribe.

§ 15. The veterinarian selected by the Board of Health shall be known as the State Veterinarian.

§ 16. This act shall take effect from and after its passage.

Mr. Simon proposed the following amendment to said proposed substitute:

Amend section 6 by striking out the words "eight dollars"

for the services of the veterinary surgeon, and inserting "five dollars" in lieu thereof, which shall be paid by the County Court of the county in which the disease is prevailing.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Simon and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	J. N. Price,
S. H. Boles,	W. H. Frederick,	F. D. Rigney,
J. W. Bryan,	R. G. Hays,	J. T. Simon,
R. A. Burnett,	L. M. Martin,	F. T. D. Wallace,
C. M. Clay, Jr.,	W. F. Neat,	D. H. Smith—16.
F. M. Clement,		

Those who voted in the negative, were—

M. C. Alford,	G. G. Gilbert,	E. R. Sparks,
A. S. Berry,	T. S. Grundy,	W. H. Taulbee,
W. J. Caudill,	J. D. Harris,	R. S. Triplett,
W. M. Cravens,	J. H. McDanell,	E. L. Worthington,
John Feland,	J. R. W. Smith,	Robert Walker—15.

Mr. D. H. Smith moved to amend said proposed substitute by striking out the 10th, 11th, 12th and 13th sections thereof.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	A. R. Byers,	F. D. Rigney,
S. H. Boles,	F. M. Clement,	F. T. D. Wallace,
J. W. Bryan,	R. G. Hays,	D. H. Smith—11.
R. A. Burnett,	W. F. Neat,	

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	J. T. Simon,
A. S. Berry,	G. G. Gilbert,	J. R. W. Smith,
W. J. Caudill,	T. S. Grundy,	E. R. Sparks,
C. M. Clay, Jr.,	J. D. Harris,	W. H. Taulbee,
W. M. Cravens,	L. M. Martin,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
John Feland,	J. N. Price,	Robert Walker—20.

Mr. Martin moved that the session of the Senate be extended until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Boles proposed the following amendment as a substitute for section 4 of said proposed substitute, viz:

§ 4. Any person who shall hereafter bring into this State cattle known to him, at the time of bringing them in, to have pleuro-pneumonia, or to have been exposed to it, or shall keep cattle in this State, knowing at the time that said cattle have pleuro-pneumonia, or have been exposed to it, shall be guilty of a felony, and, upon indictment therefor and conviction thereon, shall be punished by confinement in the penitentiary for not less than one nor more than two years.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boles and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	A. R. Byers,	F. D. Rigney,
S. H. Boles,	F. M. Clement,	F. T. D. Wallace,
J. W. Bryan,	R. G. Hays,	D. H. Smith—11.
R. A. Burnett,	W. F. Neat,	

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	J. T. Simon,
A. S. Berry,	G. G. Gilbert,	J. R. W. Smith,
W. J. Caudill,	T. S. Grundy,	E. R. Sparks,
C. M. Clay, Jr.,	J. D. Harris,	W. H. Taulbee,
W. M. Cravens,	L. M. Martin,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
John Feland,	J. N. Price,	Robert Walker—21.

Mr. Boles proposed the following amendment as a substitute for section 9 of the substitute proposed by the committee, viz:

§ 9. If any Justice of the Peace of this Commonwealth shall receive information by affidavit that any person is the owner of cattle situated and being in this Commonwealth at the time, that are affected with pleuro-pneumonia, or have been exposed to it, the number, age, sex, and distinguishing marks of said cattle being in said affidavit set forth as accurately as possible, then it shall be the duty of such Justice to issue a summons in

the name of the Commonwealth of Kentucky, directed to such owner or owners, commanding him or them to appear before such Justice at a time and place within the county where said cattle may be, not beyond ten days thereafter, to show cause why said cattle charged with having said pleuro-pneumonia or that have been exposed to it, shall not be killed and burned or buried; and upon the return of said summons, duly executed, if the owner or owners shall admit that his cattle have said disease or have been exposed to it, it shall be the duty of said Justice to enter up an order commanding said owner or owners to forthwith kill, burn or bury said cattle. If said owner or owners shall deny that said cattle are affected with said disease or have been exposed to it, then it shall be the duty of said Justice to forthwith cause a jury of twelve men of said county to be impaneled, to inquire, and by their verdict say, whether said cattle or any of them are affected with said disease, or have been exposed to it, and if so, the number, age, sex, and other distinguishing marks of said cattle affected with said disease or exposed to it, and if said jury shall find said cattle or any of them so diseased, or that they have been exposed to it, it shall be the duty of such Justice to forthwith enter up an order that said cattle be killed and burned or buried, and that the civil officer executing said summons, discharge that duty in the event that the owner fail or refuse to do so for two days thereafter, the costs of said proceedings to be paid by the owner of said cattle if found diseased; if not so found, the Court of Claims of the county where said proceedings are had, shall provide for the payment of all the costs incurred, both by the owner and the Commonwealth.

§ 10. The justice having charge of the proceedings may make an order requiring the jury to accompany him with all the witnesses to the place where said cattle may be, in order to obtain a view of said cattle, and to enable the jury from such view to distinguish and more certainly describe such cattle so diseased.

§ 11. The provisions of this amendment shall take effect from its passage.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boles and Hays, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	A. R. Byers,	F. D. Rigney,
S. H. Boles,	F. M. Clement,	D. H. Smith,
J. W. Bryan,	R. G. Hays,	F. T. D. Wallace,
R. A. Burnett,	W. F. Neat,	J. R. W. Smith—12.

Those who voted in the negative, were—

M. C. Alford, A. S. Berry, W. J. Caudill, C. M. Clay, Jr., W. M. Cravens, Henry Dixon, John Feland, W. H. Frederick, G. G. Gilbert, T. S. Grundy, J. D. Harris, L. M. Martin, J. H. McDanell, J. N. Price, J. T. Simon, E. R. Sparks, W. H. Taulbee, R. S. Triplett, E. L. Worthington, Robert Walker—20.

Mr. Boles moved to amend section 3 of said proposed substitute by adding the word "knowingly" after the word "person," in first line of said section.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the substitute proposed by the committee, as amended, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, A. S. Berry, W. J. Caudill, C. M. Clay, Jr., W. M. Cravens, Henry Dixon, John Feland, W. H. Frederick, G. G. Gilbert, T. S. Grundy, J. D. Harris, L. M. Martin, J. H. McDanell, J. N. Price, J. T. Simon, J. R. W. Smith, E. R. Sparks, W. H. Taulbee, R. S. Triplett, E. L. Worthington, Robert Walker—21.

Those who voted in the negative, were—

R. T. Albritton, S. H. Boles, J. W. Bryan, R. A. Burnett, A. R. Byers, F. M. Clement, W. F. Neat, F. D. Rigney, F. T. D. Wallace, D. H. Smith—10.

Paired: W. W. Bush, yea; R. G. Hays, nay.

Resolved, That the title of said bill be as aforesaid.

Mr. Clay moved to reconsider the vote by which the Senate had passed said bill.

Mr. Gilbert moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. T. Simon,
A. S. Berry,	G. G. Gilbert,	D. H. Smith,
J. W. Bryan,	T. S. Grundy,	J. R. W. Smith,
W. J. Caudill,	J. D. Harris,	W. H. Taulbee,
W. M. Cravens,	L. M. Martin,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
John Feland,	J. N. Price,	Robert Walker—21.

Those who voted in the negative, were—

S. H. Boles,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	W. F. Neat,	F. T. D. Wallace—7.
F. M. Clement,		

Leave was given to bring in the following bills, viz:

On motion of Mr. Bryan—

1. A bill to incorporate "The Womens' Educational and Industrial Union of Covington, Kentucky."

On motion of Mr. D. H. Smith—

2. A bill to amend chapter 799, Local and Private Acts, 1869–70.

On motion of Mr. Hays—

3. A bill to amend the charter of the city of Louisville in regard to legal advertising, making it the duty of the Council to award it to one English and one German paper capable of doing the work, and at the lowest price.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st; the Committee on General Statutes the 2d; and the Committee on Courts of Justice the 3d.

On motion of Mr. Clement, the Senate then adjourned.

WEDNESDAY, JANUARY 20, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of common school district, No. 62, in Hart county.

An act to incorporate the town of Eubanks, in Pulaski county.

Resolution to pay W. E. Railey, Sergeant-at-Arms of the last House of Representatives, for services rendered in the organization of the present House.

That they had concurred in an amendment proposed by the Senate to a resolution which originated in the House of Representatives, entitled

Joint rules of Senate and House of Representatives.

That they had passed a bill, entitled

An act to amend the laws of this Commonwealth in regard to grand juries.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on the Judiciary.

The following petitions were presented, viz:

By Mr. Berry—

1. The petition of the colored citizens of Kentucky, through the State Convention held at Lexington, Kentucky, November 26, 1885, praying the passage of such laws as will remove the grievances set forth in said petition.

By Mr. Wallace—

2. The petition of sundry citizens of school district number 80, in Lawrence county, praying the passage of an act changing the boundary line of said school district.

By Mr. Hill—

3. The petition of sundry citizens of Rochester, Butler county, praying the passage of an act exempting from taxation for a term of years capital invested for manufacturing purposes located at the different water powers on Green and Barren rivers.

Which were received, the reading dispensed with, and the 1st ordered to be printed and referred to the Committee on Propositions and Grievances; the 2d was referred to the Committee on Education; and the 3d to the Committee on Internal Improvements.

Mr. Walker moved the following resolution, viz:

WHEREAS, By an act of the General Assembly of the Commonwealth of Kentucky, approved May 12, 1884, entitled "An act relating to the lunatic asylums of the State," the superintendents of the various asylums of the State are required to keep a "case book," an "accident book," and a "restraint record;" therefore, be it

Resolved, That the Committee on Charitable Institutions is requested to examine such books, and if the law has not been complied with at any asylum of the State to report the same to this body.

Which was twice read, and adopted.

Mr. Taulbee read and laid on the table the following joint resolution, viz:

1. *Be it resolved by the Senate and House of Representatives of the Commonwealth of Kentucky*, That a committee of eight, consisting of three from the Senate and five from the House of Representatives be appointed by and to include the Speakers thereof, whose duty it shall be first to take into consideration the propriety and expediency of redistricting the State into judicial districts.

2. *And be it further resolved*, That if in their judgment the business of the State requires it, they will proceed, at once, to lay off and divide the entire State into as many districts as to them may seem proper, having due regard to population and business, and they will report their acts and doings to this General Assembly.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

Mr. Bryan read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Joint Committee on Penitentiary and House of Reform and House Committee on State Prisons be, and it is hereby, empowered to employ a stenographer to take down the testimony to be used by it in the matter of the consideration of the report of the Sinking Fund Commissioners in the removal of the Warden of the Penitentiary; and the chairman of said joint committee, or whoever may be temporarily acting as chairman, is authorized and empowered to swear any and all witnesses before testifying before said committee.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

Under resolutions heretofore adopted, the Speaker appointed Messrs. Gilbert and Albritton a committee, to act in conjunction with a similar committee from the House of Representatives, to examine into the accounts of the State Auditor and Treasurer, and Messrs. Triplett and Sparks a committee to act with a similar committee from the House of Representatives, to examine into the affairs of the State Paper Contractor.

Mr. Frederick read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives in Congress be requested, to use all honorable means to secure the passage of an act of Congress, by which all of the surviving soldiers and officers of the late war with Mexico, who received an honorable discharge and muster out of said service, be placed upon the pension rolls of the United States, because of their gallant and faithful service in said war, by which an immense acquisition of territory was ceded to the United States, worth thousands of millions of dollars to the whole people of the United States.

Pending the consideration of said resolution, the hour of 11 o'clock having arrived, further action thereon was cut off by the special order of the day.

The Senate, according to order, took up for consideration a bill, entitled

An act to regulate proceedings in cases of voluntry assignments.

Mr. Hill proposed an amendment to said bill.

On motion of Mr. Hill,

Ordered, That said bill and proposed amendment be recommitted to the Committee on Courts of Justice.

The Senate took up for consideration the message from the Governor of the 7th inst., being the nomination of certain notaries public.

[*For message, see Senate Journal January 7th.*]

Resolved, That the Senate advise and consent to said nominations.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed an enrolled bill and a resolution which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to authorize the Lawrence County Court to levy an additional tax for road and bridge purposes and for public improvements."

Resolution requesting Secretary of State to report settlements filed with him by State Auditor and Treasurer of receipts and disbursements of public money.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and reads as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 20, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent, will appoint Henry K. Pusey, M. D., Medical Superintendent of the Central Kentucky Lunatic Asylum.

I am very respectfully,

J. PROCTOR KNOTT.

Ordered, That said message be referred to the Committee on Charitable Institutions.

A message, in writing, was also received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 20, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your consent, will appoint Messrs. S. E. Trice, S. G. Buckner and B. E. Randolph, Commissioners of the Western Kentucky Lunatic Asylum.

I have the honor to be, very respectfully,

Your obedient servant,

J. PROCTOR KNOTT.

Ordered, That said message be referred to the Committee on Charitable Institutions.

A message, in writing, was also received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 20, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent, will appoint James Rodman, M. D., Medical Superintendent of the Western Kentucky Lunatic Asylum.

I am, very respectfully,

Your obedient servant,

J. PROCTOR KNOTT.

Ordered, That said message be referred to the Committee on Charitable Institutions.

A message, in writing, was also received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 20, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice

and consent, will appoint the following named persons as notaries public for the limits hereinafter designated:

Charles E. Meyer, Jefferson county,
John R. M. Polk, Jefferson county.
Robert H. Keam, Kenton county.
D. T. Fackler, Boyle county.
H. C. Franklin, Monroe county.
Thos. J. Fuqua, Christian county.
C. A. Witherspoon, Anderson county.
J. M. Johnson, Anderson county.
John Russell, Boyd county.
James L. Colyer, Pulaski county.
William A. Wilson, Montgomery county.
Winthrop A. Moore, Campbell county.
Albert Reutlinger, Jefferson county.
Walter Evans, Jefferson county.
Charles P. Johnson, Allen county.
W. A. Sears, Jessamine county.
George W. Check, Jefferson county.
James M. Swiggert, Adair county.

Very respectfully,
J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

The Speaker laid before the Senate the response of the Secretary of State to a resolution heretofore adopted, asking information as to the receipts and disbursements of the public money by State Auditor and Treasurer.

Said response was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
OFFICE OF THE SECRETARY OF STATE,
FRANKFORT, January 20, 1886.

HON. J. R. HINDMAN, *Speaker of the Senate:*

SIR: In response to a resolution of the General Assembly, requesting the Secretary of State to furnish a monthly statement of the money in the Treasury, I have the honor to submit the subjoined report, embracing the receipts and expenditures from July, 1883, to December, 1885, inclusive. I have retained

no copies of the statements, and I trust they will be returned to this office when they shall have subserved the purpose of the General Assembly.

I have the honor to be,

Very respectfully,

J. A. McKENZIE,

Secretary of State.

On motion of Mr. Martin,

Ordered, That said response and the accompanying documents be referred to the joint select committee appointed to investigate the accounts of the State Auditor and Treasurer.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled resolutions which originated in the House of Representatives, of the following titles, viz:

Resolution requiring the Committee on State Prisons to hold open sessions in investigating the removal of Warden South;

Joint Rules of Senate and House of Representatives;

And an enrolled bill and resolutions which originated in the Senate of the following titles, viz:

Resolution raising a joint committee to ascertain and report the condition of the accounts of the State Auditor and Treasurer;

Resolution in relation to the election of State Librarian;

An act to amend the charter of the Second Presbyterian Church, of Hopkinsville;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Clay—

1. A bill to repeal an act creating a Turnpike Commissioner for Bourbon county.

On motion of same—

2. A bill to prevent sales and manufacture of oleomargerine, butterine, and other imitations of butter, and from selling the same as butter.

On motion of same—

3. A bill to regulate advertisements of official rules and notices in Montgomery county.

On motion of Mr. McKee—

4. A bill to charter the People's Gas-light Company, of Frankfort.

On motion of same—

5. A bill for maintenance and burial of pauper idiots.

On motion of Mr. Albritton—

6. A bill to incorporate the Hickman bank.

On motion of Mr. Gilbert—

7. A bill to regulate the jurisdiction of Quarterly Courts in this Commonwealth.

On motion of Mr. Neat—

8. A bill to amend the common school laws of this Commonwealth.

On motion of Mr. J. R. W. Smith—

9. A bill for the benefit of the Kentucky Manufacturing Establishment for the Blind.

On motion of Mr. Wallace—

10. A bill to authorize the County Judge of Lawrence county to receive and approve the Sheriff's revenue bond for 1885 on the second Monday in February, 1886.

On motion of Mr. Gilbert—

11. A bill providing for the punishment of certain offences by stripes.

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st; the Committee on Public Health the 2d; the Committee on the Judiciary the 3d; the Committee on Courts of Justice the 4th, 5th and 7th; the Committee on Banks and Insurance the 6th; the Committee on Education the 8th; the Committee on Charitable Institutions the 9th; the Committee on Finance the 10th; and the Committee on General Statutes the 11th.

Mr. Simon read and laid on the table the following joint resolution, viz:

WHEREAS, The Hon. A. R. Clarke, Senator from the 26th Senatorial District, was by death removed from the midst of his constituents and neighbors on the fourth day of April, 1885, at his home in Falmouth, Kentucky.

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That we feel by the death of the Hon. A. R. Clarke the State has lost an eminently able, wise and efficient Senator; his district a safe and faithful legislator; a worthy, useful and generous citizen, an honest man; the members of the Assembly a bright and prominent member and co-laborer; his family an affectionate husband and kind father, and his neighbors a true friend.

2. We tender our sincere sympathy to the people of his district and county for the loss sustained in common with them, and to his family this expression of condolence in their bereavement.

3. That these resolutions be spread upon the Journal of the Senate, and that a copy be engrossed and forwarded to the family of the deceased.

4. That, as an additional mark of respect to his memory, this body do now adjourn.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read, and adopted.

And then the Senate adjourned.

THURSDAY, JANUARY 21, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives announcing that they had concurred in the adoption of a resolution which originated in the Senate, entitled

Resolution authorizing the joint committee of the two Houses

investigating report of Sinking Fund Commissioners upon removal of Warden of Penitentiary to employ a stenographer and the chairman to swear witnesses.

That they had passed a bill, entitled

An act to amend section 13, article 4, chapter 29, General Statutes.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on General Statutes.

On motion of Mr. Martin, leave of absence, indefinitely, was granted Mr. Feland.

Mr. Wallace, from the Committee on Education, to whom was referred leave to bring in the same, reported a bill, entitled

A bill for the benefit of common school district No. 3, Boyd county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hill moved the following resolution, viz:

Resolved, That all resolutions, bills, and petitions offered for the consideration of the Senate shall have an appropriate title on the back thereof, referring to the subject matter of the same, and that all leaves asked to bring in bills shall have endorsed thereon the name of the Senator asking the leave and the committee to which reference of same is desired.

Which was twice read, and adopted.

Mr. Boles read and laid on the table the following joint resolution, viz:

WHEREAS, The General Assembly, did, at its session of 1883 and 1884, appropriate the sum of twelve thousand five hundred dollars to aid in the development of the agricultural and min-

eral resources of this State, by an exhibition of its resources at the Southern Exposition, at Louisville, during the year one thousand eight hundred and eighty-four, and at the World's Industrial and Cotton Centennial Exposition, at New Orleans, Louisiana, not exceeding ten thousand dollars of said sum to be used in the collection and exhibition of the agricultural and mineral products, and cattle and other stock of the State of Kentucky at said exposition at Louisville, Kentucky, and not exceeding two thousand five hundred dollars of said sum to be used and expended in removing to and exhibiting at New Orleans, Louisiana, such part thereof as would best promote the development of the resources of this State; and, whereas, John R. Proctor, State Geologist, was made by the act appropriating said money the chairman of the board created to expend said money for the purposes aforesaid; and the Auditor of this State was directed to issue his warrant on the Treasurer of this State for such sums of money, and in favor of such persons as might have certificates therefor signed by said chairman; now, therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky, That Fayette Hewitt, Auditor of this Commonwealth, do report at as early a day as he conveniently can, whether he did or not draw his warrant upon the Treasurer of this State for all of said sums of money. If so, what were these warrants, and for what amounts, and that he furnish to this General Assembly copies of each of said certificates for the information of said General Assembly; and, whereas, said board, consisting of John R. Proctor, State Geologist, John F. Davis, Commissioner of Agriculture, J. Fry Lawrence, Willis L. Reeves, and Samuel Burdette were required by said act, appropriating said money, to keep a record of the sums for which it might issue certificates, to whom issued, and on what account, and to make report thereof to this General Assembly; and, whereas, said board has failed thus far to make said report; therefore, be it

Resolved, That said board be, and they are now, required to make said report, and that the Clerks of this General Assembly cause these resolutions to be copied and served at once upon the various parties herein called on for report by the Sergeant-at-Arms of one or the other bodies of this General Assembly.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read, and adopted.

Mr. Berry, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

A bill for the benefit of common school district No. 1, in Fulton county.

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, The public school building in common school district No. 1, in Fulton county, now in process of erection, will not be ready for school purposes before the close of the present school year ending June 30, 1886; and, whereas, it is not practicable to obtain a suitable building for school purposes for said district for the present school year; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Superintendent of Public Instruction is hereby authorized to draw his draft on the Auditor of Public Accounts in favor of the County Superintendent of common schools for Fulton county, for the amount due said district for the present school year, amounting to the sum of seven hundred and twenty-five dollars and forty cents ($725.40), which shall be duly paid to the aforesaid district for the purpose of extending the session of its school to ten months for the school year ending June 30, 1887.

§ 2. This act shall be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	W. F. Neat,
M. C. Alford,	W. H. Frederick,	J. N. Price,
A. S. Berry,	G. G. Gilbert,	F. D. Rigney,
S. H. Boles,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	J. D. Harris,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	E. R. Sparks,
A. R. Byers,	S. E. Hill,	W. H. Taulbee,
W. J. Caudill,	H. T. Kendall,	F. T. D. Wallace,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
F. M. Clement,	J. H. McDanell,	Robert Walker—32.
W. M. Cravens,	L. W. McKee,	

In the negative—None.

Resolved, That the title of said bill be as aforesaid.

Mr. Boles read and laid on the table the following joint resolution, viz:

WHEREAS, This General Assembly did by an act approved April 19, 1884, appropriate for the past two years the sum of

thirty-four thousand two hundred dollars for the continuation of the Geological, Topographical and Agricultural Surveys of the State and the Bureau of Immigration; and, whereas, the State Geologist has, by resolution of this General Assembly, been called on for a report of how, in what manner, and for what purposes he has expended said money, if the same has been expended; and, whereas, he has failed to make said report; and, whereas, said State Geologist is now absent, beyond the reach of compulsory process of this General Assembly, to compel an answer to these questions propounded to him; and, whereas, by the act appropriating said money said Geologist was required to keep an account of all moneys paid out in his department in a book kept for that purpose, which was required to be always kept open for inspection of the members of this General Assembly; now, therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of five members of this General Assembly, two from the Senate and three from the House to be appointed by the respective Speakers of the two Houses, be, and they are hereby, appointed to investigate the book of accounts aforesaid, and ascertain and by their reports say whether all of said appropriation has been consumed; and if so, how, in what manner, and for what purposes, and to enable them to accomplish the end in view, if necessary, they may send for persons and papers.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read, and adopted.

Mr. Boles read and laid on the table the following joint resolution, viz:

WHEREAS, Grave questions of State policy as to the propriety of hiring the prisoners of the Penitentiary out to be worked in mines, thus bringing them into competition with free labor, unsullied by the imputation of crime, are now agitating the people of this State and their Representatives in the General Assembly; and, whereas, upon the floor of this General Assembly suggestions have been made as to the treatment of such prisoners, casting an imputation upon the fair fame for humanity of our people; and, whereas, an inspection and view of the contracts made and entered into between the Directors of our State Prison and the lessees of such labor is necessary and needful for the proper determination of these questions; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That said Directors furnish to this General Assembly, at their earliest convenience, copies of all contracts made by them with such lessees, and if they have any knowledge upon

the questions as to whether said lessees have sublet said labor; that they furnish likewise what knowledge they may have upon that subject, to whom sublet, and at what price, and what stipulations or conditions are or were made in the original contracts or in contracts subletting said labor for feeding and clothing said prisoners, and for medical attention to them, and their humane treatment. Said report to embrace the period from the incoming of the present Governor to this date.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read, and adopted.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed an enrolled resolution, which originated in the Senate, entitled

Resolution relating to the election of State Librarian.

Mr. Frederick moved to suspend the rules and take up for consideration a resolution, entitled

Resolution urging Kentucky's Representatives in Congress to secure the passage of an act pensioning Mexican soldiers.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The Senate took up for consideration the unfinished report of the Committee on Education, being a bill, entitled

An act for the benefit of the public schools of the Commonwealth in cities having a population of twenty thousand and over.

Said bill reads as follows, viz:

WHEREAS, The management of the night schools in the city of Louisville by the board of trustees of the public school of said city, has developed the fact that a large number of the applicants for admission are by laboring people of both sexes, who are unable to read or write, have to be excluded under the present law, because over the school age; and, whereas, such people, ignorant from misfortune, poverty or lack of opportunity, are children in knowledge and manifest a laudable ambition in seeking knowledge to overcome their ignorance and become better citizens by studying and attending school at night after their toil of the day; and, whereas, it is manifestly to the interest of the public at large that every person know how to read and write, without which knowledge they cannot

properly or fully discharge the duties of citizenship under a free and enlightened government; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the board of trustees of the public schools of any city in this Commonwealth having a population of twenty thousand and over are hereby authorized and empowered to admit as pupils in the night schools under their direction and control such persons over the pupil age now prescribed by law and under the age of forty years, at their discretion, and under such rules, regulations and restrictions as the said boards of trustees provide, not inconsistent with the laws of the Commonwealth.

§ 2. This act shall take effect from and after its passage.

Mr. J. R. W. Smith moved to amend said bill by inserting after the word "Commonwealth," in the first section thereof, the following: "The provisions of this act shall not apply to the city of Louisville."

Mr. J. R. W. Smith also moved the following amendment to said bill:

Strike out the words "twenty" and "forty," where the same appear in the first section of said act, and insert in place thereof "six" and "twenty."

Mr. J. R. W. Smith moved to recommit said bill and proposed amendments to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	J. R. W. Smith,
J. W. Bryan,	G. G. Gilbert,	E. R. Sparks,
R. A. Burnett,	L. M. Martin,	E. L. Worthington,
C. M. Clay, Jr.,	J. H. McDanell,	W. H. Taulbee—14.
F. M. Clement,	J. W. Ogilvie,	

Those who voted in the negative, were—

M. C. Alford,	J. D. Harris,	W. F. Neat,
A. S. Berry,	R. G. Hays,	J. N. Price,
W. J. Caudill,	S. E. Hill,	F. D. Rigney,
W. M. Cravens,	H. T. Kendall,	F. T. D. Wallace,
W. H. Frederick,	L. W. McKee,	J. T. Simon—15.

Pending the consideration of said bill and proposed amend-

ments, the hour of 12 o'clock M. having arrived, further action thereon was cut off by the joint order of the day.

A message was received from the House of Representatives by Messrs. Cox, Owens and Gamble, announcing that the House of Representatives was now ready to proceed to the execution of the joint order of the day, the election of State Librarian.

The Speaker appointed Messrs. Hill, J. R. W. Smith, and Byers a committee to inform the House of Representatives that the Senate was now ready to execute the joint order of the day.

After a short time, Mr. Hill reported that the committee had performed that duty.

Whereupon, the Speaker announced that the Senators would now repair to the Hall of the House of Representatives, for the purpose of executing the joint order of the day, the election of a State Librarian, whose term of office will begin on the first Monday in June, 1886.

The Speaker of the Senate, at the time designated, took the Chair, and called the Joint Assembly to order.

The roll of the two Houses was then called, and the following Senators and Representatives responded to the call, viz:

R. T. Albritton,	Hart Boswell,	Jas. H. Mulligan,
M. C. Alford,	Wm. Bowman,	Harvey Myers,
A. S. Berry,	A. J. Bradford,	B. A. Neale,
S. H. Boles,	James Breathitt,	J. J. Nesbitt,
J. W. Bryan,	P. A. Cline,	John P. Newman,
R. A. Burnett,	Reuben Connor,	Samuel O. Nunn,
A. R. Byers,	Wm. T. Cox,	W. C. Owens,
W. J. Caudill,	Jas. W. Crain,	W. R. Ramsey,
C. M. Clay, Jr.,	John H. Crain,	W. M. Reed,
F. M. Clement,	R. W. Creal,	Adam Renaker,
W. M. Cravens,	J. E. Crider,	J. F. Rennick,
Henry Dixon,	Thos. A. Davis,	Gus. W. Richardson,
W. H. Frederick,	J. M. Dawson, Jr.,	W. M. Riggs,
G. G. Gilbert,	James Denton,	G. W. Samuels,
T. S. Grundy,	W. W. Dickerson,	Ira F. Sharon,
J. D. Harris,	H. H. Gambill,	John A. Shaw,
R. G. Hays,	T. T. Gardner,	George Smith,
S. E. Hill,	Phil B. Gernert, Jr.,	I. A. Spalding,
H. T. Kendall,	Drury S. Godsey,	J. Boyle Stone,
J. H. McDanell,	Harry C. Gorin,	F. P. Straus,
L. W. McKee,	Thos. A. Harris,	R. H. Taylor,
W. F. Neat,	J. B. Hayden,	G. Terry,

J. W. Ogilvie,	W. C. Haydon,	W. T. Tevis,
J. N. Price,	Jacob Hoertz,	R. Y. Thomas, Jr.,
F. D. Rigney,	Wm. L. Jackson, Jr.,	P. B. Thompson, Sr.,
J. T. Simon,	Ben Johnson,	Wm. P. Thorne,
D. H. Smith,	Hiram L. Jones,	D. L. Thornton,
J. R. W. Smith,	Richard A. Jones,	Wm. A. Wallace,
E. R. Sparks,	Wright Kelley,	R. N. Wathen,
W. H. Taulbee,	B. C. Keys,	Thos. L. Watson,
Robert Walker,	John M. Letterle,	W. J. Watson,
F. T. D. Wallace,	John B. Litsey,	W. C. Webb,
E. L. Worthington,	Wm. Lostutter,	Daniel M. Williams,
D. B. Allen,	J. H. Lunsford,	Jesse S. Williams,
W. A. Anderson,	L. F. Mann,	W. B. Wilson,
Farish Arnett,	D. C. May,	Jas. F. Winn,
S. L. Bays,	J. W. Mayo,	W. J. Worthington,
Geo. T. Blakey,	T. J. McElrath,	Mr. Speaker (Offutt),
Chas. Blanford,	Wm. Merideth,	H. B. Wiseman—119.
Fontaine F. Bobbitt,	A. J. Morehead,	

Mr. J. R. W. Smith nominated Mrs. Virginia Hanson as a suitable person to fill said office.

There being no other nominations, the Speaker then announced that the Clerks would now proceed to take a joint vote; and the vote being taken, stood thus:

In the Senate—

Those who voted for Mrs. Hanson, were—

R. T. Albritton,	Henry Dixon,	J. W. Ogilvie,
M. C. Alford,	W. H. Frederick,	J. N. Price,
A. S. Berry,	G. G. Gilbert,	F. D. Rigney,
S. H. Boles,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	J. D. Harris,	D. H. Smith,
R. A. Burnett,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	S. E. Hill,	W. H. Taulbee,
W. J. Caudill,	H. T. Kendall,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. H. McDanell,	E. L. Worthington,
F. M. Clement,	L. W. McKee,	Robert Walker—32.
W. M. Cravens,	W. F. Neat,	

In the House of Representatives—

Those who voted for Mrs. Virginia Hanson, were—

D. B. Allen,	J. B. Hayden,	J. F. Rennick,
W. A. Anderson,	W. C. Haydon,	Gus W. Richardson,
Farish Arnett,	Jacob Hoertz,	W. M. Riggs,
S. L. Bays,	W. L. Jackson, Jr.,	G. W. Samuels,
Geo. T. Blakey,	Ben Johnson,	Ira F. Sharon,

Charles Blanford,	Hiram L. Jones,	John A. Shaw,
Fontaine F. Bobbitt,	Richard A. Jones,	J. H. Shearer,
Hart Boswell,	Wright Kelly,	George Smith,
L. T. Bow,	B. C. Keys,	I. A. Spalding,
Wm. Bowman,	Jno. M. Letterle,	J. Boyle Stone,
A. J. Bradford,	John B. Litsey,	F. P. Straus,
James Breathitt,	Wm. Lostutter,	R. H. Taylor,
J. F. Bullitt, Jr.,	J. H. Lunsford,	G. Terry,
P. A. Cline,	L. F. Mann,	W. T. Tevis,
Reuben Connor,	D. C. May,	R. Y. Thomas, Jr.,
Wm. T. Cox,	J. W. Mayo,	P. B. Thompson, Sr.,
Jas. W. Crain,	T. J. McElrath,	Wm. P. Thorne,
John H. Crain,	Wm. Merideth,	D. L. Thornton,
R. W. Creal,	A. J. Morehead,	Wm. A. Wallace,
J. E. Crider,	Jas. H. Mulligan,	R. N. Wathen,
Thos. A. Davis,	Harvey Myers,	Thos. L. Watson,
J. M. Dawson, Jr.,	B. A. Neale,	W. J. Watson,
James Denton,	E. M. Nell,	W. C. Webb,
W. W. Dickerson,	J. J. Nesbitt,	Daniel M. Williams,
H. H. Gambill,	John P. Newman,	Jesse S. Williams,
T. T. Gardner,	Samuel O. Nunn,	W. B. Wilson,
Phil. B. Gernert, Jr.,	W. C. Owens,	Jas. F. Winn,
Drury S. Godsey,	W. R. Ramsey,	W. J. Worthington,
Harry C. Gorin,	Wm. M. Reed,	Mr. Speaker (Offutt),
Thos. A. Harris,	Adam Renaker,	H. B. Wiseman—90.

Total ..... 122 votes.

The Speaker then announced that Mrs. Virginia Hanson having received a majority of all the votes cast and of all the members elected to each House of the General Assembly, she is hereby declared elected State Librarian for the term of two years, commencing the first Monday in June, 1886.

Mr. Taulbee moved that a committee of three, consisting of one from the Senate and two from the House of Representatives, be appointed to notify Mrs. Hanson of her election as Librarian by the Joint Assembly.

And the question being taken thereon, it was decided in the affirmative.

Whereupon, the Speaker appointed Messrs. Taulbee, of the Senate, and Gorin and Thompson, of the House of Representatives, such committee.

Mr. Hays moved that the Joint Assembly do now dissolve.

And the question being taken thereon, it was decided in the affirmative.

The Senators then repaired to the Senate Chamber, the Speaker called the Senate to order, and it thereupon resumed the consideration of a bill, entitled

A bill for the benefit of the public schools of the Commonwealth in cities having a population of 20,000 and over.

Mr. J. R. W. Smith moved to recommit said bill and the proposed amendments thereto to the Committee on Education.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the first amendment proposed by Mr. J. R. W. Smith to said bill, which was to exempt the city of Louisville from the provisions of said act.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	F. M. Clement,	D. H. Smith,
M. C. Alford,	Henry Dixon,	J. R. W. Smith,
J. W. Bryan,	G. G. Gilbert,	E. R. Sparks,
R. A. Burnett,	J. H. McDanell,	W. H. Taulbee—14.
C. M. Clay, Jr.,	J. W. Ogilvie,	

Those who voted in the negative, were—

A. S. Berry,	R. G. Hays,	J. N. Price,
W. J. Caudill,	S. E. Hill,	F. D. Rigney,
W. M. Cravens,	H. T. Kendall,	F. T. D. Wallace,
W. H. Frederick,	L. W. McKee,	E. L. Worthington,
J. D. Harris,	W. F. Neat,	J. T. Simon—15.

The question was then taken on the second amendment proposed by Mr. J. R. W. Smith to said bill, being to strike out the words "twenty" and "forty," wherever they occur in the first section of said bill, and insert in lieu thereof, the words "six" and "twenty."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton, M. C. Alford, S. H. Boles, J. W. Bryan, R. A. Burnett, C. M. Clay, Jr., F. M. Clement, Henry Dixon, G. G. Gilbert, J. H. McDanell, J. W. Ogilvie, D. H. Smith, J. R. W. Smith, E. R. Sparks, W. H. Taulbee, Robert Walker—15.

Those who voted in the negative, were—

A. S. Berry, W. J. Caudill, W. M. Cravens, W. H. Frederick, J. D. Harris, R. G. Hays, S. E. Hill, H. T. Kendall, L. M. Martin, L. W. McKee, W. F. Neat, J. N. Price, F. D. Rigney, F. T. D. Wallace, E. L. Worthington, J. T. Simon—16.

Mr. J. R. W. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton, M. C. Alford, S. H. Boles, J. W. Bryan, L. M. Martin, F. D. Rigney, J. R. W. Smith, W. H. Taulbee, E. L. Worthington, Robert Walker—10.

Those who voted in the negative, were—

A. S. Berry, R. A. Burnett, W. J. Caudill, C. M. Clay, Jr., F. M. Clement, W. M. Cravens, Henry Dixon, W. H. Frederick, G. G. Gilbert, T. S. Grundy, J. D. Harris, S. E. Hill, H. T. Kendall, J. H. McDanell, L. W. McKee, J. W. Ogilvie, J. N. Price, J. T. Simon, D. H. Smith, F. T. D. Wallace, E. R. Sparks—22.

Mr. Berry moved that the session of the Senate be extended until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	L. W. McKee,
A. S. Berry,	J. D. Harris,	W. F. Neat,
W. J. Caudill,	R. G. Hays,	J. N. Price,
W. M. Cravens,	S. E. Hill,	F. T. D. Wallace,
Henry Dixon,	H. T. Kendall,	F. D. Rigney—17.
W. H. Frederick,	L. M. Martin,	

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	J. R. W. Smith,
S. H. Boles,	J. H. McDanell,	E. R. Sparks,
J. W. Bryan,	J. W. Ogilvie,	W. H. Taulbee,
R. A. Burnett,	J. T. Simon,	E. L. Worthington,
C. M. Clay, Jr.,	D. H. Smith,	Robert Walker—15.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	R. G. Hays,	J. N. Price,
A. S. Berry,	S. E. Hill,	F. D. Rigney,
W. J. Caudill,	H. T. Kendall,	J. T. Simon,
W. M. Cravens,	L. M. Martin,	D. H. Smith,
W. H. Frederick,	L. W. McKee,	E. L. Worthington,
J. D. Harris,	W. F. Neat,	F. T. D. Wallace—18.

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	J. R. W. Smith,
S. H. Boles,	Henry Dixon,	E. R. Sparks,
J. W. Bryan,	G. G. Gilbert,	W. H. Taulbee,
R. A. Burnett,	J. H. McDanell,	Robert Walker—14.
C. M. Clay, Jr.,	J. W. Ogilvie,	

Resolved, That the title of said bill be as aforesaid.

Mr. Burnett moved the following resolution, viz:

Resolved by the Senate of Kentucky, That the Judiciary Committee of the House of Representatives have the use of the

Senate Chamber this evening at 7:30 o'clock, to hear the argument upon the Citizens' Gas-light Company's bill,

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bryan—

1. A bill to repeal an act of March 1, 1873, amending the charter of the city of Covington.

On motion of Mr. J. R. W. Smith—

2. A bill to amend the charter of the Short Route Railway Transfer Company.

On motion of Mr. Grundy,

3. A bill to create a Common Pleas Court for Marion county.

On motion of Mr. D. H. Smith—

4. A bill to repeal chapter 1335, Public Acts, 1883–4, entitled "An act to provide for and regulate the ventilation of coal mines in this State and for the better protection of miners."

On motion of Mr. Wallace—

5. A bill for the benefit of Alexander Lane, of Boyd county.

On motion of same—

6. A bill for the benefit of John J. Kouns, late Sheriff of Boyd county,

On motion of Mr. Alford—

7. A bill to incorporate the Ashland Building Association, of Lexington, Kentucky.

On motion of Mr. Worthington—

8. A bill to amend section 258, of the Criminal Code of Practice.

On motion of same—

9. A bill to enable J. B. Glorieaux, Rector of St. Patrick's Church, at Maysville, Kentucky, and his successor or successors in office, to dispose of a house and lot in that city, either by lot or otherwise, and to arrange the mode of allotment.

On motion of Mr. Clay—

10. A bill to consolidate the Centerville and Jacksonville and the Broadwell and Sitas Creek Turnpike Companies.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 5th and 6th; the Committee on Railroads the 2d; the Committee on Courts of Justice the 3d; the Committee

on Retrenchment and Reform the 4th; the Committee on Banks and Insurance the 7th; the Committee on the Judiciary the 8th; the Committee on Religion and Morals the 9th; and the Committee on Internal Improvements the 10th.

And then the Senate adjourned.

FRIDAY, JANUARY 22, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives announcing that they had concurred in the adoption of a resolution which originated in the Senate, entitled

Resolution on the death of Hon. A. R. Clarke.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Farmers' Fire Insurance Company of America.

2. An act to incorporate the Christian Church Widows' and Orphans' Home of Kentucky.

3. An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Banks and Insurance; the 2d to the Committee on Charitable Institutions; and the 3d to the Committee on Propositions and Grievances.

A message was received from the House of Representatives,

asking leave to withdraw the announcement of the passage of a bill which originated in the House of Representatives, entitled

An act to amend the charter of the city of Richmond,

Which was granted, and the bill delivered to the messenger.

Mr. Burnett, from the Committee on General Statutes, to whom was recommitted a bill, entitled

A bill to regulate the sale of intoxicating liquors in this Commonwealth.

Reported the same without amendment.

On motion of Mr. Burnett,

Ordered, That the further consideration of said bill be postponed and made the special order of the day for Thursday, January 28th, at 11 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration the messages from the Governor of January 5th and 20th, inst., being the nominations of certain notaries public.

[*For messages, see Senate Journal January 5th and 20th.*]

Resolved, That the Senate advise and consent to said nominations.

On motion of Mr. Worthington, leave of absence, indefinitely, was granted Mr. Triplett.

Mr. McDanell, from the Committee on Finance, to whom was recommitted a resolution, entitled

Resolution to pay J. Edward Galbraith $100 as Special Bailiff in Jefferson county.

Reported the same without amendment.

Said resolution reads as follows, viz:

WHEREAS, During the last session of the last General Assembly of the Commonwealth of Kentucky, a bill was passed regularly through both branches of the General Assembly of the Commonwealth aforesaid, directing the Auditor to issue his warrant on the Treasury for one hundred dollars in favor of Edward Galbraith, for services rendered as Special Bailiff in the Jefferson Circuit Court in the case of the Commonwealth vs. Thomas F. Hargis, Esq., and in the year ———; and, whereas, said bill or act was never delivered to the Governor, or if so, has been lost or mislaid in his office, or in "transitu," thus accidentally depriving the said Galbraith of his rights in the premises. For remedy whereof, it is

Resolved by the General Assembly of the Commonwealth of

Kentucky, That the Auditor do, and he is directed, to issue his warrant in favor of Edward Galbraith on the Treasury of Kentucky for $100 for services rendered, as described in the preamble. This resolution to be in force from the date of its passage.

The question was then taken upon the adoption of said resolution, and it was decided in the affirmative.

Mr. Cravens, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

A bill to incorporate the Kingston School Joint Stock Company,

Reported the same with the expression of opinion that it ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Bryan made the question that said bill was within the inhibition of Joint Rule No. 1.

Thereupon, under the rule, said bill was referred to the Committee on the Judiciary, to determine said question.

The Senate, according to order, took up for consideration a bill, entitled

A bill to prevent the playing of base-ball on the Sabbath day.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter it shall not be lawful for any person to play at or be engaged in playing at the game, commonly called base-ball, on the Sabbath day; and who ever shall play at or be engaged in playing at the game commonly called base-ball on the Sabbath day, shall be fined not less than twenty dollars nor more than one hundred dollars.

§ 2. That the penalty for a violation of this act may be enforced either by indictment in the Circuit or Criminal Courts of this Commonwealth, or by warrant before any Judge or Justice of the Peace or Police Judge in this Commonwealth.

§ 3. That it shall be the duty of all ministerial officers in this State to apprehend all persons who are guilty within their knowledge of a violation of this act, and take them before any of the officers named in the second section of this act, who shall proceed to deal with them according to law.

§ 4. That if any officer shall knowingly and willfully fail or

refuse to discharge the duties imposed and required of him under this act, he shall be fined not less than fifty nor more than one hundred dollars, to be recovered on an indictment by a grand jury, or upon a warrant before any of the officers named in the several sections of this act.

§ 5. This act shall be in force from and after its passage.

Mr. J. R. W. Smith withdrew the amendment heretofore proposed by him to said bill.

Mr. J. R. W. Smith proposed the following amendment to said bill, viz:

Amend section one by inserting in the fourth line, after the words "Sabbath day," the words "within the limits of any city or town," and by inserting in the sixth line, after the words "Sabbath day," the words "within the limits of any city or town."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	C. M. Clay, Jr.,	D. H. Smith,
A. S. Berry,	W. H. Frederick,	J. R. W. Smith,
S. H. Boles,	S. E. Hill,	E. R. Sparks—11.
A. R. Byers,	L. W. McKee,	

Those who voted in the negative, were—

R. T. Albritton,	J. D. Harris,	J. W. Ogilvie,
J. W. Bryan,	R. G. Hays,	J. N. Price,
W. J. Caudill,	H. T. Kendall,	F. D. Rigney,
F. M. Clement,	L. M. Martin,	J. T. Simon,
W. M. Cravens,	J. H. McDanell,	W. H. Taulbee,
G. G. Gilbert,	W. F. Neat,	F. T. D. Wallace—18.

Mr. Hays moved to reconsider the vote by which the Senate rejected said amendment, and asked to have said motion simply entered.

Mr. Ogilvie moved that said motion be taken up and disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Ogilvie then moved to lay said motion to reconsider on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. J. R. W. Smith moved the following amendment to said bill, viz:

"The provisions of this act shall not apply to the counties of Jefferson, Campbell, Henderson and Union."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wallace and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,
A. S. Berry,
J. W. Bryan,
A. R. Byers,
C. M. Clay, Jr.,
W. M. Cravens,
Henry Dixon,
W. H. Frederick,
G. G. Gilbert,
J. D. Harris,
R. G. Hays,
S. E. Hill,
L. M. Martin,
J. H. McDanell,
L. W. McKee,
J. N. Price,
J. T. Simon,
D. H. Smith,
J. R. W. Smith,
E. R. Sparks,
E. L. Worthington,
W. H. Taulbee—22.

Those who voted in the negative, were—

R. A. Burnett,
W. J. Caudill,
F. M. Clement,
H. T. Kendall,
W. F. Neat,
J. W. Ogilvie,
F. D. Rigney,
F. T. D. Wallace—8.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ogilvie and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,
J. W. Bryan,
R. A. Burnett,
A. R. Byers,
W. J. Caudill,
F. M. Clement,
W. M. Cravens,
W. H. Frederick,
G. G. Gilbert,
J. D. Harris,
R. G. Hays,
S. E. Hill,
H. T. Kendall,
L. M. Martin,
J. H. McDanell,
W. F. Neat,
J. W. Ogilvie,
J. N. Price,
F. D. Rigney,
J. T. Simon,
D. H. Smith,
J. R. W. Smith,
E. R. Sparks,
W. H. Taulbee,
E. L. Worthington,
F. T. D. Wallace—26.

Those who voted in the negative, were—

M. C. Alford, C. M. Clay, Jr., L. W. McKee—5.
A. S. Berry, Henry Dixon,

Resolved, That the title thereof be as aforesaid.

Mr. Hill moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed an enrolled bill and resolutions which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Second Presbyterian Church of Hopkinsville;

Resolution to investigate the management of the Paper Contractor;

Resolution raising a joint committee to ascertain and report the condition of the accounts of the State Auditor and Treasurer.

Mr. Hays read and laid on the table a joint resolution, entitled

Joint resolution directing the Librarian to have an elevator erected in the new Capitol building.

Which, under the rule, lies one day on the table.

The Speaker appointed Messrs. McDanell, Hays and Wilson a committee of conference, to act in conjunction with a committee to be appointed by the House of Representatives, to take into consideration the disagreement of the two Houses in regard to an amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend and continue in force the charter of the Breckinridge Bank, at Cloverport, in Breckinridge county.

The Senate took up for consideration a bill, entitled

An act to repeal all laws conferring special jurisdiction on Justices', Police and Quarterly Courts.

Said bill reads as follows, viz:

WHEREAS, It is according to the spirit, if not the strict letter of the Constitution, that courts of the same dignity should have the same jurisdiction; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all laws conferring special jurisdiction upon Quarterly, Justices' and Police Courts in this Commonwealth be, and the same are hereby repealed, and the jurisdiction of said courts restored as fixed by the General Statutes.

§ 2. This act to be in force from first day of March, 1886.

Mr. Martin moved to strike out the enacting clause of said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hill and Martin, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	J. H. McDanell,	J. R. W. Smith,
S. H. Boles,	L. W. McKee,	E. R. Sparks,
W. J. Caudill,	W. F. Neat,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. N. Price,	E. L. Worthington,
H. T. Kendall,	F. D. Rigney,	J. H. Wilson—16.
L. M. Martin,		

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	S. E. Hill,
R. A. Burnett,	W. H. Frederick,	D. H. Smith,
F. M. Clement,	G. G. Gilbert,	W. H. Taulbee—11.
W. M. Cravens,	J. D. Harris,	

So said bill was rejected.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in bills of the following titles, viz:

A bill to repeal an act, entitled "An act to amend the charter of the city of Louisville," approved May 10, 1884.

A bill to amend chapter 62, of the General Statutes, title "Juries."

Asked to be discharged from the further consideration of the leave,

Which was granted.

Mr. Gilbert, from the Committee on Printing, to whom was referred resolutions of the following titles, viz:

Resolution calling upon the Auditor for a statement of the

amount paid to each the Frankfort Yeoman and Capital, for publishing proclamation rewards, and how often inserted.

Resolution directing the Committees on Printing to investigate charges against the Public Printer.

Resolution directing the Public Printer to print additional copies of the Journals of the two Houses.

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolutions, and it was decided in the affirmative.

Mr. Frederick, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act establishing a new voting precinct in Oldham county, to be known as Centerfield precinct.

Reported the same without amendment.

Mr. Gilbert made the question that said bill was within the inhibition of Joint Rule No. 1.

Thereupon, under the rule, said bill was referred to the Committee on General Statutes, to determine said question.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was recommitted a bill, entitled

A bill to establish a Board of Railroad Commissioners, and prescribe their powers and duties.

Reported the same without amendment.

On motion of Mr. J. R. W. Smith,

Ordered, That the further consideration of said bill be postponed and made the special order of the day for Wednesday, January 27th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Boles, from the Committee on Codes of Practice, to whom was referred leave to bring in bills of the following titles, viz:

A bill to amend sections 203 and 204, of chapter 6, of the Criminal Code of Practice.

A bill to amend section 203, of article 4, chapter 6, of the Criminal Code of Practice.

Asked to be discharged from the further consideration of the leave,

Which was granted.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to amend and continue in force chapter 1324, Session Acts of 1881–82, entitled "An act to establish a Superior Court and to regulate same.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hill—

Ordered, That the further consideration of said bill be postponed and made the special order of the day for Friday, January 29th, at 11 o'clock A. M., and from day to day until disposed of.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Berry, from the Committee on Education—

A bill to amend an act, entitled "An act to establish a high school in Dixon, Webster county," approved March 13, 1882.

By same—

A bill to amend the charter of the public schools of Owensboro.

By Mr. Burnett, from the Committee on General Statutes—

A bill to amend the charter of the city of Frankfort.

By same—

A bill amending chapter 55, General Statutes.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to repeal an act, approved May 10, 1884, and entitled "An act to amend the charter of the Louisville Southern Railroad Company," approved April 28, 1884.

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to amend an act, entitled "An act to incorporate the Farmers' Deposit Bank of Cynthiana," approved March 26, 1884.

By same—

A bill to incorporate the Ruthenburg Automatic Fire Extinguishing and Assurance Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Harris, from the Committee on Internal Improvements—

An act to repeal an act, entitled "An act to provide for the improvement of the public roads in Hart county," approved April 15, 1882.

By same—

An act repealing an act, entitled "An act to amend an act incorporating the Vanceburg, Salt Lick, Tollsboro and Maysville Turnpike Road Company, of Lewis county," approved May 9, 1884, and preventing, repealing and invalidating any assessment, levy and collection of tax thereunder.

By same—

An act to amend an act incorporating the Lebanon, Gravel Switch and Rolling Fork Turnpike Road Company, in Marion and Washington counties.

By Mr. Frederick, from the Committee on Propositions and Grievances—

An act to amend an act, entitled "An act establishing a fence and stock law in that portion of Hancock county known as Lewis' Bottom, in said county.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to amend an act, entitled "An act to amend the charter of the Eastern Kentucky Railway Company," approved March 11, 1884.

By same—

An act to amend an act, entitled "An act to incorporate the

Versailles and Midway Railway Company," approved April 15, 1884.

By Mr. Taulbee, from the Committee on Courts of Justice—

An act to amend section 4, of chapter 1532, entitled "An act authorizing the County Court of Laurel county to issue bonds for building court-house and clerks' offices," approved May 10, 1884.

By same—

An act to legalize the acts done by the Commissioners appointed by the Laurel County Court, in pursuance of an act, entitled "An act authorizing the Laurel County Court to issue bonds for building court-house and clerks' offices," approved May 10, 1884.

By Mr. Alford, from the same committee—

An act authorizing the County Levy Court of Meade county to levy an additional ad valorem tax.

By Mr. Burnett, from the Committee on Finance—

An act to amend an act, entitled "An act to authorize the Clark County Court to issue bonds for certain purposes," approved April 29, 1884.

By Mr. Hill, from the Committee on Courts of Justice—

An act to authorize jailers of this Commonwealth to appoint deputies.

By same—

An act authorizing the County Court of Martin county to levy an ad valorem tax in said county.

Ordered, That said bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Simon—

1. A bill to amend section 1, article 29, chapter 29, General Statutes.

On motion of Mr. Burnett—

2. A bill for the relief of J. E. Edwards, of Trigg county.

On motion of Mr. Martin—

3. A bill fixing the rates and rents of telephone boxes in this Commonwealth.

On motion of Mr. Berry—

4. A bill to grant certain powers and privileges to the Deuber Light Company of Campbell county.

Ordered, That the Committee on General Statutes prepare and bring in the 1st and 2d; the Committee on the Judiciary the 3d; and the Committee on Courts of Justice the 4th.

And then the Senate adjourned.

SATURDAY, JANUARY 23, 1886.

The Journal of yesterday was read and approved.

Mr. McKee read and laid on the table a joint resolution, entitled

Resolution in regard to lawlessness in Rowan county.

Which, under the rule, lies one day on the table.

On motion of Mr. Harris, leave of absence, indefinitely, was granted Messrs. McDanell, Byers and Bryan.

Bills of the following titles were reported from the committees directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to incorporate the Citizens' Street Railway Company, of Henderson, Ky.

By Mr. Martin, from the Committee on the Judiciary—

A bill to authorize the Harrison County Court to build a bridge across South Licking River, and to levy an ad valorem tax to pay for the same.

Which bills were read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Clement read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of two from the Senate and three from the House be appointed to the branch Penitentiary near Eddyville, and examine the progress and condition of the work and the amount of appropriation necessary to continue and complete the work.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

Mr. Berry moved the following resolution, viz:

Resolved, That the Auditor of Public Accounts be requested to report to this body in detail, the cost of transcribing record and deed-books in the several courts of Jefferson county, amounting to $7,969.87, as appears in note on page 149 of Auditor's last report; also the same in regard to item $15,050.96, as shown by note on page 51 of same report, and under what authority of law same was paid.

Which was twice read, and adopted.

The Senate took up for consideration a joint resolution, entitled

Resolution directing the Librarian to have an elevator erected in the new Capitol building.

[*For resolution, see Journal of yesterday.*]

On motion of Mr. Berry,

Ordered, That said resolution be referred to the Committee on Library, Public Buildings and Offices.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill which originated in the House of Representatives, entitled

An act to amend the laws of this Commonwealth in regard to grand juries.

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken, "Shall the bill be read a third time, the opinion of the committee to the contrary, notwithstanding?" it was decided in the negative.

So said bill was disagreed to.

Mr. Martin, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to amend section 234, of the Criminal Code.

Reported the same without an expression of opinion.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Martin,

Ordered, That the further consideration of said bill be postponed and made the special order of the day for Tuesday, January 26th, at 11 A. M., and from day to day until disposed of.

Mr. Martin, from the Committee on the Judiciary, to whom was referred leave to bring in the same, reported a bill, entitled

A bill to incorporate the Kentucky Natural Gas and Fuel Company.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Simon objected to the further reading of said bill on this day, and thereupon, it fell into the orders of the day.

Mr. Martin, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to incorporate the Kingston School Joint Stock Company.

Reported the same with the expression of opinion that said bill is not within the inhibition of Joint Rule No. 1, and that it ought to pass.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Worthington, from the Committee on the Judiciary—

An act for the benefit of the Independent Amazon Fire Engine and Hose Company No. 3, of Maysville.

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act to prevent the unlawful hunting of game in Walton and Union voting precincts in Boone county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Messrs. Ogilvie and Kendall, who were absent when the vote was taken upon a bill, entitled

An act in relation to contagious and infectious diseases of cattle,

Asked to have their votes recorded: Mr. Ogilvie in the negative, and Mr. Kendall in the affirmative on the passage of said bill.

Which was granted.

Mr. Gilbert presented the petition of sundry citizens of Spencer and Nelson counties, praying the passage of an act preventing stock from running at large within one and a half miles of the town of Fairfield.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the House of Representatives, entitled

An act for the benefit of common school district No. 1, in Fulton county;

And enrolled resolutions which originated in the Senate of the following titles, viz:

Resolution on the death of Hon. A. R. Clarke;

Resolution authorizing the joint committee of the two Houses, investigating report of Sinking Fund Commissioners upon

removal of Warden of Penitentiary, to employ a stenographer, and the chairman to swear witnesses.

And had found the same correctly enrolled.

Said bill and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hays—

1. A bill to amend the registration laws of Louisville.

On motion of Mr. Wallace—

2. A bill to amend section 534, of title 13, chapter 2, Civil Code of Practice.

On motion of Mr. Ogilvie—

3. A bill to amend the law in relation to the duties of supervisors of tax books.

On motion of Mr. Berry—

4. A bill for the benefit of Carl Schenk, of Campbell county.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st; the Committee on Codes of Practice the 2d; the Committee on General Statutes the 3d; and the Committee on Claims the 4th.

On motion of Mr. Price, the Senate adjourned until Monday next, at 11 o'clock A. M.

MONDAY, JANUARY 25, 1886.

The Journal of Saturday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the

Governor had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate and establish a bank of deposit and discount in Burlington, Boone county.

An act regulating the jurisdiction of Justices of the Peace in the counties of Floyd and Johnson.

An act to amend an act, entitled "An act for the benefit of John W. Clark, administrator of Joseph W. Oliver, deceased, late Sheriff of Lyon county," approved February 5, 1884.

Resolution requiring the Committee on State Prisons to hold open sessions in investigating the removal of Warden South.

Joint Rules of Senate and House of Representatives.

That they had concurred in the adoption of resolutions which originated in the Senate, of the following titles, viz:

Joint resolution of inquiry to the Auditor and Board appointed to distribute the appropriation made by this General Assembly for exhibit of Kentucky products at Louisville and New Orleans.

Joint resolution calling on Directors of Kentucky Penitentiary for copies of contracts leasing the labor of the convicts for mining purposes, etc.

Joint resolution raising a committee to investigate book of accounts of Geologist.

With an amendment to the last named resolution.

That they had passed bills of the following titles, viz:

1. An act to repeal an act, entitled "An act to create a Court of Common Pleas in the counties of Fayette, Bourbon, Bath, Madison, Woodford and Scott," approved February 6, 1874, and all acts amendatory thereof, so far as the same apply to the county of Bourbon.

2. An act regulating and defining the terms of the Circuit Court in Bourbon county, and the jurisdiction thereof.

3. An act to amend an act to incorporate the Presbyterian Mutual Assurance Fund, approved February 20, 1878.

Which bills were severally read the first time and ordered to be read a second time.

The Constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 2d to the Committee on

Courts of Justice; and the 3d to the Committee on Banks and Insurance.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 25, 1886.

Gentlemen of the Senate and House of Representatives:

My attention having been called to a publication made in a daily newspaper, on Saturday last, to the effect that it was rumored that Mr. John R. Procter, Director of the Geological Survey, had been guilty of forgery and defalcation, and had absconded on that account, I deem it due to you, to the fair fame of Kentucky, to an excellent and efficient officer, and to his afflicted family, who are greatly distressed by the cruel and baseless slander, that I should inform you officially that Mr. Procter has gone to London, England, upon business looking to the development of the material resources of the State; that he went with my full knowledge and approval; that there was no secrecy in his going; that had his departure been delayed, his going would have probably been attended with no beneficial results; that his mission, whether successful or not, will entail no expense upon the State; and furthermore, that I am informed by the Auditor that his accounts are correct; that there is a voucher on file for every dollar he has drawn, and that the balances unexpended by him are still in the Treasury.

I am, very respectfully,
J. PROCTOR KNOTT.

A message, in writing, was also received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and reads as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 25, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice

and consent, will appoint the following named persons as notaries public for the limits hereinafter designated:

James Woodward, Jefferson county.
A. M. Rutledge, Jefferson county.
John J. Barrett, Jefferson county.
H. B. Caldwell, Logan county.
George Stoll, Fayette county.
I. W. Twyman, Larue county.
Shelby Kinkead, Fayette county.
S. C. DeGarmo, Kenton county.
Nat W. Halstead, Nelson county.
R. Gudgell, Bath county.
John McCutchen, Logan county.
John M. Harbeson, Bracken county.
Jesse P. Williams, Franklin county.
W. F. Barclay, Logan county.
D. M. Hager, Johnson county.
R. Masterson, Nelson county.
J. W. Stoll, Fayette county.
Geo. P. Wilshire, Campbell county.
A. J. Campbell, Fayette county.
G. P. Theobald, Jefferson county.
Finlay F. Bush, Jefferson county.
Samuel Martin, Hart county.
Samuel P. Sturgis, Union county.
Henry Schmitt, Jefferson county.
John C. Brent, Bourbon county.
Charles G. L. Schultze, Jefferson county.
W. L. Johnson, Henderson county.
John W. McKellup, Lewis county.

I am, very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

The Speaker laid before the Senate the response of the Auditor of Public Accounts to a resolution previously adopted by the Senate, calling for information as to the expenditure of the fund appropriated by the last General Assembly in aid of the Louisville and New Orleans Exposition.

Said response was taken up and read as follows, viz:

STATE OF KENTUCKY,
OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,
FRANKFORT, January 25, 1886.

HON. J. R. HINDMAN, *Lieutenant Governor and Speaker of the Senate:*

SIR: In compliance with joint resolution in regard to appropriation of $12,500, made by the last General Assembly in aid of the Louisville and New Orleans Expositions, requiring the Auditor to report whether he did or not draw his warrant upon the Treasurer of this State for all of said sums of money; if so, were these warrants drawn in favor of persons having certificates therefor; if so, what persons, and for what amounts, and that he furnish to this General Assembly copies of each of said certificates for the information of said General Assembly. I reply, that no portion of this appropriation has been paid, except upon certificates showing the nature of the service, and by whom rendered. I also submit a full statement of such certificates, with names of persons in whose favor they were drawn.

Respectfully, &c.,

FAYETTE HEWITT, *Auditor.*

EXPENDITURES *under Chapter 1346, Legislature, December Session, 1883, appropriating $12,500 to the Louisville and New Orleans Expositions:*

	No. Warrant.	Amount.
Adams Express Company, freight bill	4630	$ 0 45
Moritz Fischer, cash paid for collections	4690	39 25
Chas. A. Duncan, collecting exhibits	4896	34 00
J. S. Ridley, collecting, Western Kentucky, and expenses	4896	100 00
W. M. Linney, collecting and expenses	4896	32 40
John R. Procter, collecting and expenses	5010	48 40
G. P. Shull, salary and expenses	5011	122 25
Wm. Bell, photographer's account	5011	34 10
E. C. Linney, salary and labeling	5061	50 00
Wm. Hood & Co., account fancy goods, etc.	5061	24 10
Moritz Fischer, expenses collecting	5097	119 05
Wm. Glenny & Co., account plates, etc., Cincinnati, Ohio	5151	29 60
John F. Davis, traveling expenses	5194	34 00
Wm. M. Linney, collecting exhibits and express	5193	57 15

	No. Warrant.	Amount.
Geo. H. Bahr & Co., account hardware, etc.	5193	12 10
Chas. A. Duncan, salary and expenses	5193	30 90
J. W. Hodge, expenses collecting	5193	64 25
J. W. Hodge, expenses collecting	5193	187 60
P. Smith & Co., photographer's account	5200	24 84
E. J. Parker, account hauling freight	5224	8 00
R. C. Ballard, traveling expenses and salary	5242	20 30
Clarence Anderson, salary and expenses	5242	231 70
John T. Gaines, expenses collecting exhibits	5242	35 95
J. W. Hodge, amount two months' salary	5258	160 00
J. S. Ridley, salary and traveling expenses	5258	211 50
J. G. McLean, account stenographer	5259	24 45
L. W. Harris, account painting pavillion, etc.	5290	42 00
Wm. Glenny & Co., account ground glass	5290	19 85
J. Carbutt (Philadelphia), account 11 dozen dry plates	5290	141 78
J. Fry Lawrence—salary, $160; expenses, $130	5290	290 00
Chas. H. Connor, account roofing, etc.	5290	68 68
A. J. Reed, freight paid on Madison county exhibits	5290	6 30
C. S. Cudliss & Co., account plate-holders	5331	86 05
John R. Procter, acc't traveling expenses and board, Louisville	5336	55 96
Wm. M. Linney, fitting up exhibits, Louisville	5336	92 65
John F. Davis, traveling expenses (as Commissioner)	5351	11 00
R. H. Loughridge, traveling expenses, collecting exhibits	5363	148 60
Moritz Fischer, traveling expenses	5451	102 90
Jas. W. Harper, painting Shield's signs	5451	18 75
L. Mangan, hire of horse and wagon	5495	2 00
Robert Mansfield, account 10 glass cases	5495	200 00
Wm. Glenny & Co., merchandise account	5495	64 20
Adams Express Company, account freight bills	5495	32 50
Wm. L. Maclean, landscape coloring, etc.	5504	100 00
G. P. Shull, account photographer	5509	137 39
M. W. Bowden, traveling expenses	5509	12 40
J. V. Escott & Sons, account merchandise	5509	131 87
M. H. Crump, five days' service and expenses	5509	37 40
Louis Schurmann & Co., rent show cases	5509	7 00
Wolf & Cheyney, photographer's account	5509	83 50
W. J. McConathy, account obtaining stove, etc., exhibits	5509	109 20
Wilson, Hood & Co., dry plates, account	5509	51 90
Prof. Geo. Farnham, writing cards	5509	18 10
Wm. M. Linney, for cash paid out	5509	134 95
E. C. Linney, salary for labeling	5509	40 00
G. P. Shull, salary and expenses, balance due	5510	31 70
Ed. H. Fox, account 102 transparencies	5545	324 00
Wm. Bell, photographer, account and expenses	5545	283 67
J. T. Gaines, collecting, salary and expenses	5545	107 85
Val. Blatz, account drugs, paints, etc.	5545	28 90

	No. Warrant.	Amount
Thos. H. Rees, foraccount awning	5545	10 50
Gus. Theilkuhl, photographer—July 10 to August 11	5545	176 00
J. M. Hodge, account expenses and salary	5591	248 10
L. M. Prince, account plate-holders, etc.	5591	30 20
D. A. Duncan, collecting Simpson county exhibits	5623	65 00
E. Klauber and John Ramsien, salary and expenses	5623	367 45
John F. Davis, expenses to Louisville, etc.	5660	21 00
Gus. Theilkuhl, salary and expenses	5660	162 50
W. M. Linney, expenses in superintending exhibits	5727	117 40
Adams Express Company, account freights	5727	33 35
Wm. L. Maclean, color painting, etc.	5784	100 00
J. G. Hatchett, postmaster, account	5767	10 00
J. Fry Lawrence, salary, one month	5805	80 00
Gus. Theilkuhl, photographer, expenses and salary	5839	123 00
A. M. Offutt, collecting exhibits in Scott county	5839	40 35
J. R. Hindman, freight on Adair county exhibits	5839	12 00
G. Stanfill, account ferns, plants, etc.	5839	25 00
Prof. Farnham, account labeling	5839	28 00
Wm. Bell, photographer, salary and expenses	5855	134 36
Edison Electric Light Company, account light	5855	8 75
M. J. Caudill, freights on exhibits Clay county	5855	41 20
D. W. Pomeroy, account glass, etc.	5855	22 11
Edwards & Thomas, library bill	5855	2 50
R. C. Ballard, expenses collecting	5901	348 61
E. C. Linney, salary and labeling	5901	40 00
R. H. Loughridge, collecting and expenses	5901	127 00
John F. Davis, account expenses	5949	15 00
J. W. Hodge, expenses collecting and salary	6060	273 85
Geo. B. Bahr & Co., account hardware, etc.	6060	13 05
John Graham & Son, account screens	6060	30 00
Adams Express Company, freight bill	6060	$ 12 25
Peaslee-Gaulbert Co., account glass	6060	14 10
Wm. Glenny & Co., account ground glass	6060	41 38
Wm. L. Maclean, account expenses and salary	6060	67 00
John Carbutt, account dry plates	6157	90 83
E. H. Fox, photographer	6157	95 49
E. C. Linney, salary	6157	30 00
J. G. Hatchitt, postage stamps	6157	12 00
John R. Procter, account expenses	6157	156 06
Edmund Taylor, account collecting	6157	5 00
Arthur Peter & Co., account jars	6157	11 25
Hegan Brothers, account frame	6157	4 70
H. M. McCarty, Jr., account expenses	6157	75 00
H. M. McCarty, Jr., account expenses	6157	15 00
Courier-Journal Job Printing Co., account	6157	1 25
Peaslee-Gaulbert Co., account glass	6157	16 48
C. E. Collins & Bro., marking pots	6157	70
W. M. Linney, account expenses	6157	70 15

	No. Warrant.	Amount.
James Mullens, photographer, transparencies	6159	$250 00
E. Klauber, photographer, transparencies	6159	500 00
J. F. Lawrence, salary and expenses	6224	136 75
G. P. Shull, photographer, account	6224	35 00
R. C. B. Thruston, expenses and salary	6379	291 62
John C. Hawkins, account carpenter	6382	205 00
John F. Davis, account expenses	6633	9 00
John R. Procter, account rent of room two months (see Vou. A)	6659	40 00
John R. Procter, expenses attending meeting Commissioners	6659	3 75
Jos. LeCompte, druggist, account paints	6659	50
L. & N. Railroad, account freight	6659	5 75
Wm. M. Linney, salary and expenses	6659	50 40
P. Smith & Co., photographers, account	6659	12 57
Louis Schurmann & Co., two show cases	6659	7 00
R. C. B. Thruston, account expenses and salary	6766	185 61
W. J. Simmons, acc't expenses in collecting display for N. O. Ex.	6846	20 00
John F. Davis, account expenses as Com'r to New Orleans	7203	28 00
J. Fry Lawrence, expenses as Commissioner to New Orleans	7209	11 75
John R. Procter, Chairman, account insurance on Kentucky exhibit at New Orleans	7211	60 00
R. C. B. Thruston, account expenses arranging for Kentucky exhibit at New Orleans, 1885	66	458 74
Robert Mansfield, account making 10 cases		200 00
E. C. Davis, account preparing fruits, etc., for N. O. Ex.	182	25 00
J. Fry Lawrence, account expenses at New Orleans	251	32 00
T. J. Smith, account express paid	324	3 15
J. B. Speed & Co., account cement or plaster, etc.	324	2 50
John Graham & Son, account making screens	324	30 00
G. P. Shull, photographer	324	50 00
John R. Procter, account expenses to New Orleans and return	582	50 00
Ed. H. Fox, account photographer	582	113 30
R. C. B. Thruston, expenses and salary at New Orleans	656	537 16
John F. Davis, account expenses at New Orleans.	824	36 15
Geo T. Hord, account expenses at New Orleans	824	36 15
Geo. Farnham, card display, etc., at New Orleans Exposition	749	13 75
Adams Express Company, freight bills	924	17 50
J. Fry Lawrence, expense account at New Orleans	971	79 33
James Mullens, photographer, account	988	194 70
John C. Hawkins, salary for assisting in arranging Kentucky display at New Orleans	1101	180 00
Adams Express Company, freight bills	1591	24 35
Geo. T. Hord, expense account to New Orleans and return, second trip	1607	36 15
Geo. W. Meredith, account horse and buggy hire	1843	9 50
John E. Stone, driving photographer's car.	1843	2 00
Thomas Heysar, account board, Brannech	1843	16 50
W. U. Telegraph Company, account messages	2347	2 00
J. Fry Lawrence, account expenses	2979	77 70
John C. Hawkins, account expenses, etc.	2980	201 00
		$12,465 04

Balance due—$34.96.

On motion Mr. Boles,

Ordered, That the itemized account of expenditures filed and made a part of said response be printed, and laid upon the desks of the members.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to regulate the jurisdiction of the Quarterly Courts of this Commonwealth.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hill,

Ordered, That said bill be printed, and that the further consideration thereof be postponed and made the special order of the day for Wednesday, February 3d, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill for the maintenance of pauper idiots.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Gilbert,

Ordered, That said bill be printed and that the further consideration thereof be postponed and made the special order of the day for Friday, February 5th, at 11 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration a resolution, entitled

Resolution in relation to lawlessness in Rowan county.

Said resolution reads as follows, viz:

WHEREAS, The attention of the Legislature has been called to a state of lawlessness which has existed in Rowan county, Ken-

tucky, at divers times during the past year, and the State government has expended large sums of money in upholding the civil authority in said county; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of three Senators and five Representatives be appointed as an investigating committee, who shall have power and authority to hear testimony such as they may desire, and for this purpose the chairman is hereby given the authority to issue such process for the attendance of witnesses as is now given the courts of this Commonwealth, and any officer who is now authorized by law to execute such process is hereby authorized and directed to execute the process of this committee when placed in his hand. Said committee, after hearing such testimony as they may desire, shall report to this General Assembly, by bill or otherwise, some remedy for the lawlessness in said county.

Mr. Price moved to amend said resolution as follows, viz:

"That the committee shall take no action until after the adjournment of the February term of the Rowan Circuit Court."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	S. E. Hill,	F. D. Rigney,
J. W. Bryan,	H. T. Kendall,	J. T. Simon,
R. A. Burnett,	L. M. Martin,	J. R. W. Smith,
W. J. Caudill,	L. W. McKee,	W. H. Taulbee,
C. M. Clay, Jr.,	W. F. Neat,	F. T. D. Wallace,
Henry Dixon,	J. W. Ogilvie,	E. L. Worthington,
W. H. Frederick,	J. N. Price,	J. H. Wilson—22.
G. G. Gilbert,		

Those who voted in the negative, were—

S. H. Boles,	W. M. Cravens,	J. D. Harris—3.

Resolved, That the title of said resolution be as aforesaid.

The Senate took up for consideration the motion heretofore

made by Mr. Hill, to reconsider the vote by which the Senate had passed a bill, entitled

An act to prevent the playing of base-ball on the Sabbath day.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	F. D. Rigney,
J. W. Bryan,	J. D. Harris,	J. T. Simon,
R. A. Burnett,	S. E. Hill,	W. H. Taulbee,
W. J. Caudill,	H. T. Kendall,	F. T. D. Wallace,
C. M. Clay, Jr.,	L. W. McKee,	E. L. Worthington,
F. M. Clement,	W. F. Neat,	J. H. Wilson—18.

Those who voted in the negative, were—

S. H. Boles,	L. M. Martin,	J. N. Price,
G. G. Gilbert,	J. W. Ogilvie,	J. R. W. Smith—6.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Caudill,

Ordered, That said bill be recommitted to the Committee on Religion and Morals.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in the House of Representatives of the following titles, viz:

An act to repeal an act, entitled "An act to provide for the improvement of the public roads in Hart county," approved April 15, 1882;

An act to legalize the acts done by the Commissioners appointed by the Laurel County Court, in pursuance of an act, entitled "An act authorizing the Laurel County Court to issue bonds for building court-house and clerks' offices," approved May 10, 1884;

An act to amend an act incorporating the Lebanon, Gravel

Switch and Rolling Fork Turnpike Road Company, in Marion and Washington counties;

An act authorizing the County Levy Court of Meade county to levy an additional ad valorem tax;

An act to amend an act, entitled "An act to amend the charter of the Eastern Kentucky Railway Company," approved March 11, 1884;

An act to amend an act, entitled "An act to incorporate the Versailles and Midway Railway Company," approved April 15, 1884;

Resolution calling upon the Auditor for a statement of the amount paid to each the Frankfort Yeoman and Capital, for publishing proclamation rewards, and how often inserted;

Resolution directing the Public Printer to print additional copies of the Journals of the two Houses;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate took up for consideration a bill, entitled

A bill to incorporate the Kentucky Natural Gas and Fuel Company.

Mr. Wallace proposed an amendment to said bill.

Mr. Simon proposed an amendment to said bill.

On motion of Mr. Bryan,

Ordered, That said bill and proposed amendments be recommitted to the Committee on Courts of Justice.

Mr. Taulbee, from the Committee on Religion and Morals, to whom was referred leave to bring in a bill, entitled

A bill to repeal chapter 1104, of Session Acts, 1883-4, entitled "An act to regulate the sale of liquors in Morgan county,

Reported the same with an expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Taulbee—

1. A bill for the benefit of John L. Higgins, Assessor of Breathitt county.

On motion of same—

2. A bill to repeal chapter 1104, of Session Acts, 1883–4.

On motion of Mr. Wilson—

3. A bill to repeal chapter 784, Acts of 1878, providing for the working of persons confined in jail.

On motion of same—

4. A bill to prevent sale of delinquent tax list of any county in the Commonwealth, and to provide for the annual publication thereof.

On motion of same—

5. A bill to incorporate the Cumberland River Baptist Church, at Barboursville, and to provide against injury thereof.

On motion of same—

6. A bill to repeal the law in regard to imprisonment of persons for carrying concealed weapons.

On motion of Mr. Martin—

7. A bill to repeal an act providing for a Geological and Mineralogical Survey of the State, approved March 22, 1873.

On motion of same—

8. A bill to allow the Lieutenant-Governor mileage.

On motion of Mr. McKee—

9. A bill to amend the charter of the Frankfort and Flat Creek Turnpike Road Company.

On motion of Mr. Burnett—

10. A bill to amend subsections 1 and 19, of chapter 41, of the General Statutes.

On motion of same—

11. A bill to amend section 19, of chapter 100, of General Statutes.

On motion of Mr. Walker—

12. A bill to establish a Normal School at Bowling Green.

On motion of Mr. Wallace—

13. A bill to repeal an act amendatory of section 6, article 13, chapter 38, General Statutes, being chapter 1007, Acts, 1883–84.

On motion of Mr. Berry—

14. A bill to regulate the institution and removal of actions and proceedings in Campbell county.

On motion of same—

15. A bill repealing an act authorizing the city of Newport to refund its funded debt.

On motion of same—

16. A bill to authorize the city of Newport to issue $125,000 of bonds for water connection purposes.

On motion of same—

17. A bill authorizing the creation of a sinking fund for the liquidation of the funded debt of the city of Newport.

On motion of same—

18. A bill to amend the charter of the city of Newport.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 3d, 4th, 5th, 6th, 10th, 11th and 13th; the Committee on Religion and Morals the 2d; the Committee on the Judiciary the 7th; the Committee on Propositions and Grievances the 8th; the Committee on Internal Improvements the 9th; the Committee on Education the 12th; and the Committee on Courts of Justice the 14th, 15th, 16th, 17th and 18th.

On motion of Mr. Berry, the Senate then adjourned.

TUESDAY, JANUARY 26, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives announcing that they had passed a bill which originated in the Senate, entitled

An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth, bordering on Green and Barren rivers, for certain purposes, etc.

That they had passed a bill, entitled

An act to punish and make seduction a felony in this Commonwealth.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on the Judiciary.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to amend and re-enact an act, entitled "An act to incorporate the People's Mutual Assurance Fund," approved April 22, 1884.

By same—

A bill to incorporate the Ashland Building and Saving Association of Lexington, Kentucky.

By same—

A bill to incorporate the Hickman Bank.

By Mr. Burnett, from the Committee on General Statutes—

A bill to remedy defective sales of infants' real estate.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wallace, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

A bill to establish a line between school district No. 26, Boyd county, and No. 80, Lawrence county,

Reported the same with the expression of opinion that said bill ought to pass.

Said bill being within the inhibition of Joint Rule No. 1, Mr. Wallace moved to suspend the rule and take up said bill for consideration.

And the question being taken thereon, it was decided in the affirmative.

Said bill was then read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill which originated in the House of Representatives, entitled

An act for the benefit of David Ewell Phillips, of Jefferson county,

Reported the same with an amendment.

Which was adopted.

The question was then taken on ordering said bill, as amended, to a third reading, and it was decided in the negative.

So said bill was disagreed to.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend section 234, of the Criminal Code.

Mr. Simon moved to recommit said bill to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

On motion of Mr. Alford,

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Monday, the first day of February, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Edward Talbott, of Nelson county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary, notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of W. S. Long, of Wayne county,

Reported the same without an expression of opinion.

The question was then taken, "Shall said bill be read a third time?" and it was decided in the negative.

So said bill was disagreed to.

The Senate took up for consideration an amendment proposed by the House of Representatives to a resolution which originated in the Senate, entitled

Joint resolution raising a committee to investigate book of accounts of Geologist.

And the question being taken on concurring in said amendment, it was decided in the negative.

Mr. Taulbee moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Hill, from the Committee on Banks and Insurance, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act to incorporate the Presbyterian Mutual Assurance Fund, approved February 20, 1878,

Reported the same with an amendment.

On motion of Mr. Hays—

Ordered, That said bill and proposed amendment be recommitted to said committee, with directions to report to-morrow morning.

Mr. Simon moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to amend section 4, of chapter 1532, entitled "An act authorizing the County Court of Laurel county to issue bonds for building court-house and clerks' offices," approved May 10, 1884;

An act repealing an act, entitled "An act to amend an act incorporating the Vanceburg, Salt Lick, Tollsboro and Maysville Turnpike Road Company, of Lewis county," approved May 9, 1884, and preventing, repealing and invalidating any assessment, levy and collection of tax thereunder;

An act for the benefit of the Independent Amazon Fire Engine and Hose Company No. 3, of Maysville;

An act to prevent the unlawful hunting of game in Walton and Union precincts in Boone county;

An act to amend an act, entitled "An act to authorize the Clark County Court to issue bonds for certain purposes," approved April 29, 1884;

An act authorizing the County Court of Martin county to levy an ad valorem tax in said county;

An act to authorize jailers of this Commonwealth to appoint deputies;

Resolution directing the Committees on Printing to investigate charges against the Public Printer;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Feland read and laid on the table a joint resolution, entitled

Joint resolution to concur in the action of the Commissioners removing the Warden of the Penitentiary.

Said resolution reads as follows, viz:

WHEREAS, By an act of the General Assembly, approved May 3, 1880, to provide for the government, management and discipline of the Kentucky Penitentiary, it was provided among other things that the Commissioners should have power in their discretion to remove the Warden; and, whereas, under and by virtue of said provision, the said commissioners did, on the —— day of September, 1884, remove W. T. B. South from said position, which fact they have reported to the present General Assembly; and, whereas, in the opinion of this General Assembly the acts of the Commissioners in the management of said prison should be approved and sustained in all matters within their discretion, unless it appears clearly that they have palpably and fraudulently abused that discretion, and it would be unwise if not impossible for the General Assembly to retry the question of any such removal. Therefore, without intruding hereby to pass judgment upon the merits of the controversy which has arisen between said Warden and said Commissioners, and because the interest of the Commonwealth demand a settlement of this controversy,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the action of said Commissioners by removing said South as above set forth be, and the same is hereby, concurred in and approved.

Mr. Hays moved that the rules be suspended, and that said resolution be taken up and made the special order of the day for to-morrow the 27th inst., at 10:50 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	G. G. Gilbert,	L. W. McKee,
M. C. Alford,	T. S. Grundy,	W. F. Neat,
J. W. Bryan,	J. D. Harris,	J. W. Ogilvie,
R. A. Burnett,	R. G. Hays,	J. T. Simon,

C. M. Clay, Jr.,	S. E. Hill,	D. H. Smith,
Henry Dixon,	H. T. Kendall,	J. R. W. Smith,
John Feland,	J. H. McDanell,	F. T. D. Wallace—21.

Those who voted in the negative, were—

S. H. Boles,	J. N. Price,	W. H. Taulbee,
W. M. Cravens,	F. D. Rigney,	Robert Walker—6.

Leave was granted to bring in the following bills:

On motion of Mr. Hill—

1. A bill relating to transcribing and indexing court records.

On motion of same—

2. A bill relating to blank books for use in the Superior Court and clerks' offices of the Commonwealth, and to provide for the payment of the same.

On motion of Mr. Burnett—

3. A bill for the benefit of Arthur & Wilcox and Luke Dees, and their heirs or assignees.

On motion of Mr. Feland—

4. A bill to authorize County Courts to convey land by its Commissioner, in certain cases.

On motion of Mr. Simon—

5. A bill to amend section 402, of the Civil Code of Practice.

On motion of Mr. Alford—

6. A bill to regulate the payment of witness' fees in felony cases.

On motion of Mr. Dixon—

7. A bill to amend chapter 41, General Statutes.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 2d; the Committee on the Judiciary the 3d and 6th; the Committee on General Statutes the 4th and 7th; and the Committee on Codes of Practice the 5th.

And then the Senate adjourned.

WEDNESDAY, JANUARY 27, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had passed a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 3, 1880.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Penitentiary and House of Reform.

The Speaker laid before the Senate the response of the Auditor of Public Accounts to a resolution heretofore adopted by the Senate, asking for information as to the cost of transcribing record and deed books in the several courts of Jefferson county.

Said response was taken up and read as follows, viz:

STATE OF KENTUCKY,
OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,
FRANKFORT, January 26, 1886.

HON. JAS. R. HINDMAN, *Lieutenant-Governor and Speaker of the Senate:*

DEAR SIR: In answer to resolution asking "the cost of transcribing record and deed books in the several courts of Jefferson county, amounting to $7,969.87, as appears in note on page 149, of Auditor's last report; also the same in regard to item $15,050.96 as shown by note on page 51, of same report, and under what authority of law same was paid," I respectfully submit the following:

On September 26, 1883, there was paid John H. Weller, Clerk Louisville Chancery Court, for transcribing record books and indexing same for said court	$3,927 96
On November 26, 1883, there was paid Paul Cain for transcribing records and indexing same, for Jefferson County Common Pleas Court	9,235 00

On March 28, 1884, there was paid Paul Cain for transcribing Commissioner's deed book for Jefferson Circuit Court and indexing same . .	1,888 00
On August 9, 1884, there was paid Paul Cain for transcribing Commissioner's deed book No. 4, and for indexing Commissioner's deed books Nos. 1, 2, 3 and 4, for Jefferson Circuit Court	3,969 87
On October 17, 1884, there was paid Jno. H. Weller, Clerk of Louisville Chancery Court, for transcribing record books for said court	4,000 00
Making a total of	$23,020 83
And being amounts expended from July 30, 1883, to June 30, 1884 . . .	$15,050 96
And amounts expended from June 30, 1884 to June 30, 1885	7,969 87
	$23,020 83

The same having been paid under chapter 37, sections 9 and 10, of the General Statutes.

Yours respectfully,

FAYETTE HEWITT, *Auditor.*

Leave was given to bring in the following bills, viz:

On motion of Mr. Hays—

1. A bill to appropriate money by the State to the Home of the Friendless, of Louisville.

On motion of Mr. Grundy—

2. A bill to amend chapter 38, article 13, section 18, of General Statutes.

Ordered, That the Committee on Charitable Institutions prepare and bring in the 1st, and the Committee on General Statutes the 2d.

By unanimous consent, Mr. Triplett was relieved from further service on the joint select committee appointed to investigate the affairs of the State Paper Contractor.

By unanimous consent the rules were suspended, and Mr. Bryan, from the joint committee, consisting of the Senate Committee on Penitentiary and House of Reform and House Committee on State Prisons, to whom was referred the report of the Directors of the Penitentiary in the removal of Warden South, laid before the Senate the following report, viz:

To the Senate and House of Representatives:

Your joint committee, consisting of the Senate Committee on

Penitentiary and House of Reform and the House Committee on State Prisons, would respectfully report the non concurrence of the committee in the action of the Directors of the Kentucky Penitentiary in removing W. T. B. South from the Wardenship of the Penitentiary at Frankfort, by a vote of the said joint committee of eight (8) for concurrence and nine (9) against concurrence.

J. W. BRYAN, *Chairman Senate Com.*
W. M. REED, *Chairman House Com.*

By unanimous consent the rules were suspended, and Mr. Feland proposed the following amendment as a substitute for said report, viz:

WHEREAS, By an act of the General Assembly, approved May 3, 1880, to provide for the government, management and discipline of the Kentucky Penitentiary, it was provided among other things that the Commissioners should have power in their discretion to remove the Warden; and, whereas, under and by virtue of said provision, the said Commissioners did, on the —— day of September, 1884, remove W. T. B. South from said position, which fact they have reported to the present General Assembly; and, whereas, in the opinion of this General Assembly, the acts of the Commissioners in the management of said prison should be approved and sustained in all matters within their discretion, unless it appears clearly that they have palpably and fraudulently abused that discretion, and it would be unwise, if not impossible, for the General Assembly to retry the question of any such removal. Therefore, without intending hereby to pass judgment upon the merits of the controversy which has arisen between said Warden and said Commissioners, and because the interests of the Commonwealth demand a settlement of this controversy,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the action of said Commissioners in removing said South, as above set forth, be and the same is hereby concurred in and approved.

Mr. Gilbert proposed the following amendment to said proposed substitute, viz:

Amend by striking out the words "without intending hereby to pass judgment upon the merits of the controversy which has arisen between said Warden and said Commissioners."

Pending the consideration of said report and proposed amend-

ments, Mr. Simon moved that the session of the Senate be extended until the said report was disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Feland moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burnett and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. W. Ogilvie,
J. W. Bryan,	G. G. Gilbert,	J. T. Simon,
F. M. Clement,	T. S. Grundy,	R. S. Triplett,
Henry Dixon,	J. D. Harris,	Robert Walker,
John Feland,	S. E. Hill,	F. T. D. Wallace—15.

Those who voted in the negative, were—

R. T. Albritton,	R. G. Hays,	F. D. Rigney,
A. S. Berry,	H. T. Kendall,	D. H. Smith,
S. H. Boles,	J. H. McDanell,	W. H. Taulbee,
R. A. Burnett,	W. F. Neat,	J. H. Wilson—14.
W. J. Caudill,	J. N. Price,	

Mr. Berry moved a call of the Senate.

And the question being taken thereon, it was decided in the affirmative.

The roll of the Senate was then called, and the following Senators responded to their names, viz:

R. T. Albritton,	W. H. Frederick,	J. W. Ogilvie,
M. C. Alford,	G. G. Gilbert,	J. N. Price,
A. S. Berry,	T. S. Grundy,	F. D. Rigney,
S. H. Boles,	J. D. Harris,	J. T. Simon,
J. W. Bryan,	R. G. Hays,	D. H. Smith,
R. A. Burnett,	S. E. Hill,	W. H. Taulbee,
W. J. Caudill,	H. T. Kendall,	R. S. Triplett,
F. M. Clement,	J. H. McDanell,	Robert Walker,
W. M. Cravens,	L. W. McKee,	F. T. D. Wallace,
Henry Dixon,	W. F. Neat,	J. H. Wilson—31.
John Feland,		

The Senators absent were Messrs. Bush, Byers, Clay, Martin, J. R. W. Smith, Sparks and Worthington.

Mr. Hill moved that leave of absence, indefinitely, be granted Messrs. Bush, Byers and Worthington.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. W. Ogilvie,
M. C. Alford,	G. G. Gilbert,	J. N. Price,
A. S. Berry,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	J. D. Harris,	R. S. Triplett,
R. A. Burnett,	S. E. Hill,	Robert Walker,
F. M. Clement,	J. H. McDanell,	F. T. D. Wallace,
Henry Dixon,	L. W. McKee,	J. H. Wilson—23.
John Feland,	W. F. Neat,	

Those who voted in the negative, were—

S. H. Boles,	H. T. Kendall,	F. D. Rigney—4.
W. M. Cravens,		

The Speaker of the Senate ordered the Sergeant-at-Arms to close the doors and bring in the absent Senators.

The Sergeant-at-Arms brought Messrs. Clay and Martin before the bar of the Senate.

Mr. Bryan moved that the Senate excuse Messrs. Clay and Martin for their absence.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. W. Ogilvie,
M. C. Alford,	G. G. Gilbert,	J. N. Price,
S. H. Boles,	T. S. Grundy,	F. D. Rigney,
J. W. Bryan,	J. D. Harris,	J. T. Simon,
R. A. Burnett,	R. G. Hays,	W. H. Taublee,
W. J. Caudill,	S. E. Hill,	R. S. Triplett,
F. M. Clement,	H. T. Kendall,	Robert Walker,
W. M. Cravens,	J. H. McDanell,	F. T. D. Wallace,
Henry Dixon,	L. W. McKee,	J. H. Wilson—29.
John Feland,	W. F. Neat,	

In the negative—A. S. Berry—1.

Mr. Bryan moved to dispense with further proceedings under the call.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken upon the amendment offered by Mr. Gilbert to the substitute proposed by Mr. Feland to said report, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	L. W. McKee,
M. C. Alford,	G. G. Gilbert,	J. W. Ogilvie,
J. W. Bryan,	T. S. Grundy,	J. T. Simon,
F. M. Clement,	J. D. Harris,	R. S. Triplett,
Henry Dixon,	S. E. Hill,	Robert Walker,
John Feland,	J. H. McDanell,	F. T. D. Wallace—18.

Those who voted in the negative, were—

A. S. Berry,	R. G. Hays,	F. D. Rigney,
S. H. Boles,	H. T. Kendall,	D. H. Smith,
R. A. Burnett,	W. F. Neat,	W. H. Taulbee,
W. J. Caudill,	J. N. Price,	J. H. Wilson—13.
W. M. Cravens,		

The question was then taken on the substitute proposed by Mr. Feland for said report as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Feland, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	L. W. McKee,
J. W. Bryan,	T. S. Grundy,	J. W. Ogilvie,
C. M. Clay, Jr.,	J. D. Harris,	J. T. Simon,
F. M. Clement,	S. E. Hill,	R. S. Triplett,
Henry Dixon,	L. M. Martin,	Robert Walker,
John Feland,	J. H. McDanell,	F. T. D. Wallace—19.
W. H. Frederick,		

Those who voted in the negative, were—

R. T. Albritton,	W. M. Cravens,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	D. H. Smith,
S. H. Boles,	H. T. Kendall,	W. H. Taulbee,
R. A. Burnett,	W. F. Neat,	J. H. Wilson—14.
W. J. Caudill,	J. N. Price,	

Mr. Triplett moved to reconsider the vote by which the main question was ordered.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Rigney, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. M. Cravens,	D. H. Smith,
A. S. Berry,	R. G. Hays,	W. H. Taulbee,
S. H. Boles,	H. T. Kendall,	R. S. Triplett,
R. A. Burnett,	J. N. Price,	J. H. Wilson—14.
W. J. Caudill,	F. D. Rigney,	

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	J. H. McDanell,
J. W. Bryan,	G. G. Gilbert,	L. W. McKee,
C. M. Clay, Jr.,	T. S. Grundy,	J. W. Ogilvie,
F. M. Clement,	J. D. Harris,	J. T. Simon,
Henry Dixon,	S. E. Hill,	Robert Walker,
John Feland,	L. M. Martin,	F. T. D. Wallace—18.

The question was then taken on the adoption of said report as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	L. W. McKee,
J. W. Bryan,	T. S. Grundy,	J. W. Ogilvie,
C. M. Clay, Jr.,	J. D. Harris,	J. T. Simon,
F. M. Clement,	S. E. Hill,	R. S. Triplett,
Henry Dixon,	L. M. Martin,	Robert Walker,
John Feland,	J. H. McDanell,	F. T. D. Wallace—19.
W. H. Frederick,		

Those who voted in the negative, were—

R. T. Albritton,	W. M. Cravens,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	D. H. Smith,
S. H. Boles,	H. T. Kendall,	W. H. Taulbee,
R. A. Burnett,	W. F. Neat,	J. H. Wilson—14.
W. J. Caudill,	J. N. Price,	

Mr. Bryan moved to reconsider the vote by which the Senate adopted said report.

Mr. Simon moved to lay said motion on the table.

Mr. Berry moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Simon, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	G. G. Gilbert,	W. F. Neat,
A. S. Berry,	T. S. Grundy,	J. W. Ogilvie,
S. H. Boles,	R. G. Hays,	J. N. Price,
R. A. Burnett,	H. T. Kendall,	F. D. Rigney,
W. J. Caudill,	L. M. Martin,	D. H. Smith,
W. M. Cravens,	J. H. McDanell,	E. R. Sparks,
W. H. Frederick,	L. W. McKee,	J. H. Wilson—21.

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	J. T. Simon,
J. W. Bryan,	John Feland,	W. H. Taulbee,
C. M. Clay, Jr.,	J. D. Harris,	Robert Walker,
F. M. Clement,	S. E. Hill,	F. T. D. Wallace—12.

And then the Senate adjourned.

THURSDAY, JANUARY 28, 1886.

The Journal of yesterday was read and approved.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and reads as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, January 28, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent, will appoint the following named persons as notaries public for the limits hereinafter designated:

A. S. Cagle, Nelson county.
John B. Martin, Jr., Owen county.
L. L. Parks, Jefferson county.
George W. Milburn, Jefferson county.
H. A. Williams, Daviess county.
J. O. Clore, Henderson county.
D. W. Gowdy, Taylor county.
H. C. Reece, Jefferson county.
S. D. Poore, Grant county.
James W. Henning, Jefferson county.
Chas. M. F. Striger, Kenton county.
George Y. Farman, Harrison county.
John B. Chapman, Scott county.
A. M. Brown, Hardin county.
Timoleon Bradshaw, Adair county.
William B. Wilson, Henry county.
John W. Warren, Adair county.

I am, very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. J. R. W. Smith presented the memorial of William H. Leathers, of Jefferson county,

Which was received, read, and referred to the Committee on Propositions and Grievances.

Mr. J. R. W. Smith, who was absent at the time, asked leave to have his vote recorded in the affirmative upon the adoption of the amendment proposed by Mr. Gilbert, and the amendment proposed as a substitute by Mr. Feland to the report of the Joint Committee on the Penitentiary in the matter of the removal of Warden South by the Penitentiary Directors voted upon on yesterday.

Which was granted.

Mr. Simon, by unanimous consent, withdrew the motion entered by him on yesterday to lay on the table the motion made by Mr. Bryan to reconsider the vote by which the Senate had adopted the report of the Joint Committee on the Penitentiary, as amended, concerning the action of the Prison Directors in the removal of Warden South.

Mr. Bryan, by unanimous consent, withdrew the motion entered by him on yesterday to reconsider the vote by which

the Senate had adopted the report, as amended, of the Joint Committee on the Penitentiary concerning the action of the Penitentiary Directors in the removal of Warden South.

The Senate, according to order, took up for consideration a bill, entitled

A bill to regulate the sale of intoxicating liquors in this Commonwealth.

Sundry amendments were proposed to said bill.

On motion of Mr. Hays,

Ordered, That the further consideration of said bill and proposed amendments be postponed and made the special order of the day for Wednesday, the third day of February next at 11 : 55 o'clock A. M., and from day to day until disposed of.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Wallace, from the Committee on Education—

A bill to amend the charter of the East Kentucky Normal School.

By Mr. Hill, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to revise and amend the charter of the city of Newport," approved February 17, 1874.

By Mr. Taulbee, from the same committee—

A bill to create the Newport Fire and Police District, in Campbell county, and to provide for the government thereof.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz :

By Mr. Hill, from the Committee on Courts of Justice—

An act regulating and defining the terms of the Circuit Court in Bourbon county, and the jurisdiction thereof.

By Mr. Taulbee, from the same committee—

An act to repeal an act, entitled "An act to create a Court of Common Pleas in the counties of Fayette, Bourbon, Bath, Madison, Woodford and Scott," approved February 6, 1874, and all acts amendatory thereof, so far as the same apply to the county of Bourbon.

Mr. Harris objecting to the read reading of said bills on this day,

Ordered, That said bills be placed in the orders of the day.

The Speaker, from the Committee on Rules, reported the following additional Rules:

Resolved, That the Senate of Kentucky, now in session, adopt for its Government the following, viz:

RULE 1. It shall be the duty of the Speaker to direct the Door-keeper and Sergeant-at-Arms to exclude all persons from the bar of the Senate except the Governor, Members of the Senate, officials of the several departments of the State Government, reporters of the press and members of the Federal Congress and members of the General Assembly of this State.

RULE 2. Five minutes before the hour for the meeting of the Senate each day, the Door-keeper and Sergeant-at-Arms shall see that the floor of the Senate is cleared of all persons except those privileged to remain.

RULE 3. That a railing be placed in the rear of the seats of the Senators under the supervision of the Speaker.

And the question being taken on the adoption of said report, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Cravens, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	J. D. Harris,	J. H. McDanell,
S. H. Boles,	R. G. Hays,	J. W. Ogilvie,
R. A. Burnett,	S. E. Hill,	J. T. Simon,
W. J. Caudill,	H. T. Kendall,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	J. H. Wilson—16.
T. S. Grundy,		

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	R. S. Triplett,
W. M. Cravens,	W. H. Taulbee,	F. T. D. Wallace—7.
John Feland,		

Mr. Hill moved the following resolution, viz:

Resolved, That on and after the first of February, the hour for adjournment of the Senate shall not be earlier than two o'clock, P. M.

Which, under the rule, lies one day on the table.

Mr. Clay, from the Committee on Banks and Insurance, to whom was recommitted a bill from the House of Representatives, entitled

An act to amend an act to incorporate the Presbyterian Mutual Assurance Fund, approved February 20, 1878,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hays—

1. A bill to amend the charter of the Franklin Insurance Company, of Louisville.

On motion of Mr. Frederick—

2. A bill to better protect the turnpike companies in which the State is interested.

On motion of Mr. Simon—

3. A bill to authorize and empower the trustees of Falmouth to subscribe and take stock in the Falmouth and Lynchburg Turnpike Company.

On motion of Mr. Hill—

4. A bill to regulate railroad transportation in this Commonwealth.

On motion of same—

5. A bill to incorporate the town of Fordsville, in Ohio county.

On motion of Mr. Alford—

6. A bill regulating the business of pawnbrokers in certain cities of the State of Kentucky.

On motion of Mr. D. H. Smith—

7. A bill to reduce the number of challenges allowed to defendants in felony cases.

On motion of Mr. Feland—

8. A bill to provide for the collection of the interest on the bonds of Providence district, in Webster county, and for the collection of said bonds when due.

On motion of same—

9. A bill to amend section 4, chapter 113, of the General Statutes of the Commonwealth.

On motion of Mr. Wallace—

10. A bill to amend the charter of the East Kentucky Normal School of Boyd county.

On motion of Mr. Taulbee—

11. A bill to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth bordering on Licking river.

On motion of Mr. McKee—

12. A bill for the benefit of J. C. Smock, of Mercer county.

On motion of Mr. J. R. W. Smith—

13. A resolution for the benefit of William H. Leathers, of Lyndon Station, Jefferson county.

On motion of Mr. Albritton—

14. A bill to regulate the rate on freights upon railroads in this State.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on Internal Improvements the 2d; the Committee on General Statutes the 3d, 6th and 9th; the Committee on Railroads the 4th and 14th; the Committee on Courts of Justice the 5th; the Committee on the Judiciary the 7th and 8th; the Committee on Education the 10th; the Committee on Federal Relations the 11th; and the Committee on Propositions and Grievances the 12th and 13th.

And then the Senate adjourned.

FRIDAY, JANUARY 29, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of common school district No. 1, in Fulton county.

An act to amend an act, entitled "An act to incorporate the Versailles and Midway Railway Company," approved April 15, 1884.

An act to amend an act, entitled "An act to amend the charter of the Eastern Kentucky Railway Company," approved March 11, 1884.

An act authorizing the County Levy Court of Meade county to levy an additional ad valorem tax.

An act to amend an act incorporating the Lebanon, Gravel Switch and Rolling Fork Turnpike Road Company, in Marion and Washington counties.

An act to legalize the acts done by the commissioners appointed by the Laurel County Court in pursuance of an act, entitled "An act authorizing the Laurel County Court to issue bonds for building court-house and clerks' offices," approved May 10, 1884.

An act to repeal an act, entitled "An act to provide for the improvement of the public roads in Hart county," approved April 15, 1882.

Resolution calling upon the Auditor for a statement of the amount paid each the Frankfort Yeoman and Capital for publishing proclamation rewards and how often inserted.

Resolution directing the Public Printer to print additional copies of the Journals of the two Houses.

That they had passed bills which orginated in the Senate, of of the following titles, viz:

An act to amend the charter of the city of Frankfort.

An act to amend and re-enact an act, entitled "An act to incorporate the People's Mutual Assurance Fund," approved April 22, 1884.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled resolutions, which originated in the Senate, of the following titles, viz:

Resolution on the death of Hon. A. R. Clarke.

Resolution authorizing the joint committee of the two Houses, investigating report of Sinking Fund Commissioners upon removal of Warden of Penitentiary, to employ a stenographer, and the chairman to swear witnesses.

Mr. Hays moved the following resolution, viz:

Resolved by the Senate, That the Public Printer print and furnish to the members hereof five hundred additional copies of the list of the special and standing committees of the Senate.

Which was twice read and adopted.

On motion of Mr. McKee, leave of absence, indefinitely, was granted Messrs. Alford, Caudill and Walker.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined and approved an enrolled bill which originated in the House of Representatives of the following title, viz:

An act to amend an act, entitled "An act establishing a fence and stock law in that portion of Hancock county known as Lewis' Bottom, in said county;

And enrolled resolutions which originated in the Senate of the following titles, viz:

Joint resolution of inquiry to the Auditor and Board appointed to distribute the appropriation made by this General Assembly for exhibit of Kentucky products at Louisville and New Orleans;

Joint resolution calling on the directors of the Kentucky Penitentiary for copies of contracts leasing the labor of the convicts for mining purposes;

And had found the same correctly enrolled.

Said bill and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the com

mittee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Hill, from the Committee on Courts of Justice—

A bill to regulate the institution and removal of actions and proceedings in Campbell county.

By Mr. Wallace, from the Committee on General Statutes—

A bill for the benefit of John J. Kouns, late Sheriff of Boyd county.

By same—

A bill authorizing J. B. Spencer, of Lawrence county, to execute revenue bond on second Monday in February, 1886.

By Mr. Burnett, from the same committee—

A bill to repeal an act, entitled "An act to amend the charter of the city of Covington," approved March 1, 1873.

By same—

A bill to repeal section 13 of an act approved March 9, 1876, entitled "An act to authorize the county courts to establish work-houses and provide for the confinement therein of persons adjudged guilty of misdemeanors."

By same—

A bill for the benefit of J. E. Edwards, Assessor of Trigg county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Clay, the rules were suspended, and the Senate took up for consideration a bill from the House of Representatives, entitled

An act to repeal an act, entitled "An act to create a Court of Common Pleas in the counties of Fayette, Bourbon, Bath, Madison, Woodford and Scott," approved February 6, 1874, and all acts amendatory thereof, so far as the same apply to the county of Bourbon.

On motion of Mr. Clay,

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

On motion of Mr. Clay, the rules were suspended, and the Senate took up for consideration a bill from the House of Representatives, entitled

An act regulating and defining the terms of the Circuit Court, in Bourbon county, and the jurisdiction thereof.

On motion of Mr. Clay,

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill in relation to blank books for use in the inferior courts and clerks' offices of this Commonwealth, and to provide for the payment of same,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wilson,

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill in relation to transcribing and indexing court records,

Reported the same with the expression of opinion that said bill ought to pass.

Pending the consideratior of said bill, the hour of 11 o'clock A. M. having arrived, further action thereon was cut of.

Mr. Hill moved to postpone the consideration of the special order of the day until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

Said bill was then read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend and continue in force chapter 1324, Session Acts of 1881–82, entitled "An act to establish a Superior Court and to regulate same."

Mr. Bryan proposed an amendment to said bill.

Mr. Wilson moved the following resolution, viz:

Resolved, That the Committee on Courts of Justice be, and is hereby, requested to consider the question as to whether it would be better to continue the Superior Court or allow each Judge of the Court of Appeals a law clerk to aid him in his duties; and that the bill to continue the Superior Court now under consideration be recommitted to the Committee on Courts of Justice.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	R. G. Hays,	F. D. Rigney,
F. M. Clement,	H. T. Kendall,	R. S. Triplett,
John Feland,	W. F. Neat,	J. H. Wilson—9.

Those who voted in the negative, were—

S. H. Boles,	T. S. Grundy,	J. W. Ogilvie,
J. W. Bryan,	J. D. Harris,	J. R. W. Smith,
C. M. Clay, Jr.,	S. E. Hill,	F. T. D. Wallace,
W. H. Frederick,	L. M. Martin,	W. H. Taulbee—14.
G. G. Gilbert,	J. H. McDanell,	

On motion of Mr. Hays,

Ordered, That said bill and proposed amendment be recommitted to the Committee on the Judiciary, with directions to report on Tuesday next, February 2d, at 11 o'clock A. M.

The Speaker laid before the Senate the following communication, viz:

To the General Assembly of the Commonwealth of Kentucky:

GENTLEMEN: The undersigned, as a matter of simple justice to themselves, would respectfully request that the act, entitled "An act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 3, 1880, be so amended as to relieve them of any further duty or responsibility as *ex officio* directors of that institution.

Very respectfully,

J. PROCTOR KNOTT,
J. A. MCKENZIE,
FAYETTE HEWITT,
P. W. Hardin,
JAMES W. TATE.

FRANKFORT, KY., January 29, 1886.

On motion of Mr. Martin,

Ordered, That said communication be referred to the Committee on Penitentiary and House of Reform.

Mr. Hill read and laid on the table the following joint resolution, viz:

WHEREAS, Messrs. Mason & Foard, lessees of the convict labor, have expressed a desire to be released from their contract for convict labor to work outside the Penitentiary; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund be, and they are hereby, directed to cancel and annul all contracts with said Mason & Foard for the leasing of convicts outside the Penitentiary.

Which, under the rule, lies one day on the table.

Mr. Hill moved that the rules be suspended, and that said resolution be taken up and referred to the Committee on Penitentiary and House of Reform.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and J. R.W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	J. D. Harris,	J. W. Ogilvie,
C. M. Clay, Jr.,	S. E. Hill,	F. T. D. Wallace,
F. M. Clement,	L. M. Martin,	J. R. W. Smith—11.
T. S. Grundy,	L. W. McKee,	

Those who voted in the negative, were—

S. H. Boles,	G. G. Gilbert,	F. D. Rigney,
R. A. Burnett,	R. G. Hays,	W. H. Taulbee,
W. M. Cravens,	H. T. Kendall,	R. S. Triplett,
John Feland,	J. H. McDanell,	J. H. Wilson—14.
W. H. Frederick,	W. F. Neat,	

Mr. Burnett, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend section 13, article 4, chapter 29, General Statutes,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled

An act establishing a new voting precinct in Oldham county, to be known as Centerfield precinct,

Having been referred to the Committee on General Statutes for the purpose of reporting whether or not bill said was within the inhibition of Joint Rule No. 1.

Mr. Burnett, from said committee, reported said bill with the expression of opinion that said bill was within the inhibition of said Joint Rule.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby formed and established an additional voting precinct in Oldham county, bounded as follows: Beginning at Currier's fork, opposite the late residence of J. M. Brown, thence east to Floyd's fork, opposite Benjamin Sea's, thence north with county line to J. S. Middleton's, thence west to Owen P. Carpenter's, thence south to the place of beginning.

§ 2. That said voting precinct shall be known as Centerfield precinct, and the place of voting shall be at the town of Centerfield.

§ 3. This act to take effect and be in force from and after its passage.

Mr. Cravens moved that said rule be suspended, and that said bill be ordered to a third reading and put upon its passage.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Hays, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	T. S. Grundy,	J. H. McDanell,
R. A. Burnett,	J. D. Harris,	J. R. W. Smith,
F. M. Clement,	R. G. Hays,	W. H. Taulbee,
W. M. Cravens,	S. E. Hill,	F. T. D. Wallace,
John Feland,	H. T. Kendall,	J. H. Wilson—16.
W. H. Frederick,		

Those who voted in the negative, were—

J. W. Bryan,	L. M. Martin,	F. D. Rigney,
C. M. Clay, Jr.,	W. F. Neat,	R. S. Triplett—7.
G. G. Gilbert,		

So said bill was disagreed to.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend chapter 41, General Statutes.

Asked to be discharged from the further consideration of the leave,

Which was granted.

The Speaker appointed Mr. Dixon to serve on the joint special committee appointed to investigate the affairs of the State Paper Contractor, in place of Mr. Triplett, excused.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gilbert—

1. A bill requiring record books used by the county officers of the Commonwealth, to be paid for by the respective counties in which the books are used.

On motion of Mr. Taulbee—

2. A bill for the benefit of A. J. Ringo, of Menifee county.

On motion of Mr. Wallace—

3. A bill to repeal an act regulating advertising in Lawrence county, and providing compensation therefor.

Ordered, That the Committee on General Statutes prepare and bring in the 1st and 3d, and the Committee on Claims the 2d.

And then the Senate adjourned.

SATURDAY, JANUARY 30, 1886.

The Journal of yesterday was read and approved.

Mr. Triplett was appointed a committee to withdraw from the House of Representatives the announcement of the disagreement by the Senate, of a bill which originated in the House of Representatives, entitled

An act establishing a new voting precinct in Oldham county, to be known as Centerfield precinct.

After a short time Mr. Triplett reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Triplett moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

On motion of Mr. McDanell, leave of absence, indefinitely, was granted Messrs. Harris, Clay and Feland.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in the same, reported a bill, entitled

A bill providing for the recording of orders of attachment in certain cases.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Gilbert, said bill was recommitted to said committee.

Mr. Burnett, from the Committee on General Statutes, to whom was recommitted a bill which originated in the Senate, entitled

An act to repeal an act approved April 19, 1884, entitled "An act to amend an act, entitled 'An act providing compensation for Circuit Court Clerks in Commonwealth cases,'" approved April 19, 1882.

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnett, from the Committee on General Statutes, to to whom was referred a bill from the House of Representatives, entitled

An act to amend section 3, chapter 7, of General Statutes,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary, notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Burnett, from the same committee, to whom was referred leave to bring in a bill, entitled

A bill to amend section 4, chapter 113, General Statutes,

Asked to be discharged from the further consideration of the leave,

Which was granted.

Mr. Wilson, from the same committee, to whom was referred leave to bring in a bill, entitled

A bill to repeal chapter 784, entitled "An act to amend

chapter 29, of General Statutes, entitled 'Crimes and Punishments,'" approved April 10, 1878.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Martin proposed an amendment to said bill.

Mr. Boles proposed an amendment to said bill.

On motion of Mr. Bryan,

Ordered, That said bill and proposed amendments be recommitted to said committee.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wilson, from the Committee on General Statutes—

A bill to incorporate the Cumberland River Baptist Church, at Barboursville, Knox county, and for the protection of same from injury.

By Mr. Hays, from the Committee on Courts of Justice—

A bill to authorize the creation of a sinking fund for the liquidation of the funded debt of the city of Newport.

By same—

A bill to authorize the city of Newport to issue $125,000 of bonds for water connection purposes.

By same—

A bill to repeal an act, entitled "An act to authorize the city of Newport to refund its funded debt," approved April 15, 1884.

By Mr. Martin, from the Committee on the Judiciary—

A bill to regulate the management of turnpike roads in Robertson and Nicholas counties.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, viz:

An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth, bordering on Green and Barren rivers, for certain purposes, etc.;

An act to amend the charter of the city of Frankfort;

An act to amend and re-enact an act, entitled "An act to incorporate the People's Mutual Assurance Fund," approved April 22, 1884.

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Bryan, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to punish and make seduction a felony in this Commonwealth,

Reported the same with an amendment.

On motion of Mr. Bryan, said bill and proposed amendment was placed in the orders of the day.

Mr. Gilbert, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to regulate the advertisement of official sales and notices in Montgomery county,

Asked to be discharged from the further consideration of the leave,

Which was granted.

Mr. Martin, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to repeal an act, entitled "An act to provide for a

Geological Survey and Mineralogical Survey of the State," approved March 22, 1873.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wallace objected to the further reading of said bill on this day.

Mr. J. R. W. Smith, moved that the rules be suspended, and that said bill be ordered to a third reading.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act entitled "An act to provide for a Geological Survey and a Mineralogical Survey of the State," approved March 22, 1873, be, and the same is hereby, repealed.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	W. F. Neat,
S. H. Boles,	G. G. Gilbert,	J. W. Ogilvie,
J. W. Bryan,	T. S. Grundy,	F. D. Rigney,
R. A. Burnett,	R. G. Hays,	D. H. Smith,
A. R. Byers,	S. E. Hill,	J. R. W. Smith,
F. M. Clement,	L. M. Martin,	W. H. Taulbee—20.
W. M. Cravens,	J. H. McDanell,	

Those who voted in the negative, were—

M. C. Alford,	R. S. Triplett,	J. H. Wilson—5.
H. T. Kendall,	F. T. D. Wallace,	

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Triplett, from the Committee on Library, Public Buildings and Offices, to whom was referred a resolution, entitled

Resolution directing the Librarian to have an elevator erected in the new Capitol building,

Reported the same with the expression of opinion that said resolution should be adopted.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Librarian be, and she is hereby, directed to employ a competent party, skilled in such matters, to build and erect an elevator of sufficient strength to transfer passengers and freight from the first floor to the attic in the new State building in the Capitol yard, not to cost over $300; it is further

Resolved, That when said elevator is completed and pronounced well built and of sufficient strength and workmanship by the Treasury and accepted by the Librarian on the part of the State, the Auditor is hereby authorized to draw his warrant on the Treasury in favor of the builder, for the cost of the same.

Mr. Hays moved to amend said resolution by striking out the figures "300" wherever they occur therein, and inserting in lieu thereof the figures "600."

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	S. E. Hill,	R. S. Triplett,
F. M. Clement,	L. W. McKee,	F. T. D. Wallace—7.
Henry Dixon,		

Those who voted in the negative, were—

R. T. Albritton,	T. S. Grundy,	J. W. Ogilvie,
M. C. Alford,	R. G. Hays,	F. D. Rigney,
S. H. Boles,	H. T. Kendall,	D. H. Smith,
R. A. Burnett,	L. M. Martin,	J. R. W. Smith,
A. R. Byers,	J. H. McDanell,	W. H. Taulbee,
W. M. Cravens,	W. F. Neat,	J. H. Wilson—19.
G. G. Gilbert,		

So said resolution was rejected.

Mr. Triplett, from the same committee, reported the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the State Librarian be, and she is hereby, authorized and directed to make an invoice of all the paper now on hand that cannot be used by her, and after making said invoice to correspond with paper contractors with a view to sell same, and if she can make satisfactory terms to sell same, but should she be unable to make such a contract for its sale, she is directed to ship same to some large city and have same sold at public auction, and to pay the proceeds of said sale into the general expenditure fund for which she shall receive no pay except her regular salary as Librarian.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Mr. Gilbert moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to amend article 31, chapter 29, General Statutes, title "Crimes and Punishments,"

Reported the same with the expression of opinion that said bill ought to pass.

Pending the consideration of said bill the hour of 12 o'clock M. having arrived, further action thereon was cut off by the orders of the day.

The Senate took up for consideration the following resolution heretofore moved by Mr. Hill, viz:

Resolved, That on and after the first of February, the hour for adjournment of the Senate shall not be earlier than two o'clock P. M.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hill and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	W. F. Neat,
M. C. Alford,	T. S. Grundy,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	W. H. Taulbee,
A. R. Byers,	H. T. Kendall,	R. S. Triplett,
F. M. Clement,	J. H. McDanell,	F. T. D. Wallace—16.
W. M. Cravens,		

Those who voted in the negative, were—

S. H. Boles,	R. G. Hays,	J. W. Ogilvie,
J. W. Bryan,	L. M. Martin,	D. H. Smith,
G. G. Gilbert,	L. W. McKee,	J. H. Wilson—9.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled resolutions which originated in the Senate, of the following titles, viz:

Joint resolution of inquiry to the Auditor and Board appointed to distribute the appropriation made by this General Assembly for exhibit of Kentucky products at Louisville and New Orleans.

Joint resolution calling on the directors of the Kentucky Penitentiary for copies of contracts leasing the labor of the convicts for mining purposes.

The Speaker laid before the Senate the response of the Directors of the Penitentiary to a joint resolution previously adopted by the Senate, requesting said directors to furnish to the General Assembly copies of all contracts made by them with lessees of convict labor and also calling for information as to whether or not said lessees had sublet said convict labor, to whom sublet, at what price, and the stipulations of the sublease, etc.

Said response was taken up and read as follows, viz:

FRANKFORT, KY., January 29, 1886.

HON. JAS. R. HINDMAN, *Speaker of the Senate:*

SIR: In compliance with joint resolution received to-day, requiring the Directors of the Penitentiary to "furnish to this General Assembly, at their earliest convenience, copies of all

contracts made by them with such lessees; and if they have any knowledge upon the question as to whether said lessees have sublet said labor, that they furnish likewise what knowledge they may have upon that subject, to whom sublet, and at what price, and what stipulations or conditions are, or were, made in the original contracts, or in contracts subletting said labor, for feeding and clothing said prisoners, and for medical attention to them, and their humane treatment. Said report to embrace the period from the incoming of the present Governor to this date:"

We enclose copy of the contract under which the Mason-Foard Company now contracts the convict labor, both within and without the walls of the Penitentiary, which is the only contract entered into for this labor during the incumbency of the present Governor.

We have no knowledge or information that this company has sublet this labor. At the time the contract was entered into, there were about fifty men employed in making turnpikes in Nicholas county. These men were allowed by this company to remain in the hands then controlling them until the work they were engaged on was completed.

We know from the weekly reports of the State Inspectors, and from our personal inspection, that the expense of feeding and clothing of these men is met and provided for by this company.

All of which is respectfully submitted.

Very truly,

J. Proctor Knott,
J. A. McKenzie,
James W. Tate,
Fayette Hewitt,
P. W. Hardin,

Ex Officio Directors Kentucky Penitentiary.

Know All Men by These Presents: That the Commonwealth of Kentucky has let and hired to the "Mason & Foard Company" the labor of the convicts who are now, or may be in

the Kentucky Penitentiary for the period of four years from the first day of April, 1885, for the consideration and upon the terms, conditions and limitations hereinafter mentioned, for the faithful observance and performance of which said company and the undersigned, H. P. Mason, S. B. Mason, Jo. F. Foard, S. D. Gooch, W. F. Dandridge, Wm. Morrow, W. M. Duncan, Chas. E. Hoge and John King as principals, and W. H. Hendrick and John Echols as their sureties, hereby bind themselves, their heirs, executors and administrators, jointly and severally, to said Commonwealth in such sum or sums as may be sufficient to indemnify said Commonwealth against all costs and damages that may accrue from a breach of any stipulation herein contained, should any such occur.

It is agreed by said contractors, the "Mason & Foard Company," and the other principals hereto, and also their sureties:

1. That for said labor said contractors shall pay into the Treasury of the said Commonwealth the sum of eight thousand three hundred and thirty-three dollars and thirty-three cents annually, in equal quarterly installments, on the last day of June, September, December and March; and also on the last day of each month a sum equal to the pay of all officers, guards and inspectors of the Penitentiary then due, so that said Commonwealth shall be kept acquit of all charge or expense on any such account during the continuation of their contract: *Provided*, They shall not be required to pay for increased compensation or for additional inspectors, or guards, unless made necessary by the demands or interests of the lessee.

2. That said contractors shall at all times, during the continuation of their said contract, furnish sufficient and proper food and clothing, beds and bedding, medicines and medical attendance to all convicts in said Penitentiary, except to those who may be withdrawn from their employment for work on the new prison while thus withdrawn, and in all respects treat them as humanely and provide for them as comfortably, both in sickness and in health, as may be consistent with good discipline, acquitting the Commonwealth of any and all charge or expense on any such account.

3. That said contractors shall faithfully conform to all rules

and regulations which may be prescribed by the Commissioners of the Sinking Fund respecting the labor, diet, clothing and safe keeping of the convicts, and touching the discipline, sanitation, police, and other matters relating to the convicts, officers and guards, such as said Commissioners are authorized by law to make; and that, upon the expiration of the term of any convict, or his or her liberation upon pardon, they will furnish such convict with a new suit of serviceable clothing and transportation (not transferable), at the lowest rates, to the county from which such convict shall have been sent.

4. That said contractors shall not employ or permit to be employed upon any public work outside of the walls of the Penitentiary any convict who shall have been convicted of murder, arson, rape, or attempted rape, or who shall have a longer period than five years to serve, but may employ all other male convicts able to perform such labor upon public works in Kentucky, such as the construction and improvement of railroads, canals, water-ways, levees and mining: *Provided*, That the convicts thus employed shall not be worked within the corporate limits of any city or town, nor quartered, unless engaged in mining, within two miles thereof, nor within one-fourth of a mile of a private residence, unless by the written consent of the resident.

5. That said contractors shall, when the same can be spared from the Penitentiary, furnish, free of charge, to the Commonwealth, any number of unskilled laborers, not exceeding ten at any one time, that may be needed for work about any of the public buildings or grounds belonging to the Commonwealth at the seat of Government.

6. That if any convict shall escape while in their employ, said contractors shall pay the reward and expenses prescribed by law for his or her capture and return to the Penitentiary.

7. It is understood that none of the convicts who are now employed upon the branch Penitentiary are to be considered as embraced in this contract, while withdrawn for that purpose; and that the Commissioners of the Sinking Fund reserve the right, upon giving the said contractors sixty days' notice, in writing, to withdraw from said contractors such additional number of able-bodied male convicts as may be profitably

worked upon said branch Penitentiary, in which event the said contractors are to be released from their obligation to pay the annual sum hereinbefore stipulated in proportion to the additional number so withdrawn; and it is further understood and agreed that whenever there shall be provided sufficient rooms and accommodations for them within the walls of the Penitentiary at Frankfort or any branch Penitentiary that may be erected, the Commissioners of the Sinking Fund may require the return to the Penitentiary of all convicts employed outside, upon giving six months' notice, in writing, to the said contractors.

Witness our hands this twenty-seventh day of April, in the year of our Lord, one thousand eight hundred and eighty-five,

MASON & FOARD CO.,
By CHAS. E. HOGE, *Pres.*
H. P. MASON,
S. D. GOOCH,
CHAS. E. HOGE,
JOHN KING,
WILLIAM MORROW,
W. M. DUNCAN,
JO. F. FOARD,
W. F. DANDRIDGE.

JNO. ECHOLS,
W. H. HENDRICK,
Sureties.

Witness as to signatures of C. E. Hoge, H. P. Mason, S. D. Gooch and John King,
G. G. GOOCH.

Witness,
W. H. HATCH.

Witness as to Echols,
CON. F. KREBS.

Witness as to W. H. Hendrick,
W. J. HENDRICK.

A copy, attest: J. A. McKENZIE,
Secretary of State.

On motion of Mr. Gilbert,

Ordered, That said response and the accompanying documents be printed and referred to the Committee on the Penitentiary and House of Reform.

The Senate took up for consideration a joint resolution, entitled

Resolution to cancel and annul all contracts of Mason & Foard for the leasing of convicts outside the Penitentiary.

Said resolution reads as follows, viz:

WHEREAS, Messrs. Mason & Foard, lessees of the convict labor, have expressed a desire to be released from their contract for convict labor to work outside the Penitentiary; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund be, and they are hereby, directed to cancel and annul all contracts with said Mason & Foard for the leasing of convicts outside the Penitentiary.

The question being on the adoption of said resolution,

Mr. D. H. Smith moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hill and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	G. G. Gilbert,	F. D. Rigney,
M. C. Alford,	T. S. Grundy,	D. H. Smith,
S. H. Boles,	H. T. Kendall,	R. S. Triplett,
A. R. Byers,	L. M. Martin,	E. L. Worthington,
F. M. Clement,	W. F. Neat,	J. H. Wilson—17.
W. M. Cravens,	J. W. Ogilvie,	

Those who voted in the negative, were—

R. A. Burnett,	S. E. Hill,	J. H. McDanell,
Henry Dixon,	L. W. McKee,	F. T. D. Wallace—6.

So said resolution was rejected.

Leave was granted to bring in the following bills:

On motion of Mr. Burnett—

1. A bill to amend article 29, chapter 29, of General Statutes.

On motion of Mr. Wilson—

2. A bill to amend section 19, article 12, chapter 33, General Statutes, relating to bribery in elections.

On motion of same—

3. A bill to establish a court of quarter sessions in each county of the State.

On motion of same—

4. A bill to amend the law of evidence in civil and criminal procedures.

On motion of Mr. Wallace—

5. A bill to amend an act, approved May 5, 1880, in relation to the regulation of the retail traffic in liquors.

On motion of Mr. Gilbert—

6. A bill to incorporate the Hereford Association of Kentucky.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 2d, 4th, 5th and 6th, and the Committee on Courts of Justice the 3d.

On motion of Mr. Boles, the Senate adjourned until Monday next, at 11 o'clock A. M.

MONDAY, FEBRUARY 1, 1886.

The Journal of Saturday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to amend section 4, of chapter 1532, entitled "An act authorizing the County Court of Laurel county to issue bonds

for building court-house and clerks' offices," approved May 10, 1884.

An act repealing an act, entitled "An act to amend an act incorporating the Vanceburg, Salt Lick, Tollesboro and Maysville Turnpike Road Company, of Lewis county," approved May 9, 1884, and preventing, repealing and invalidating any assessment, levy and collection of tax thereunder.

An act to prevent the unlawful hunting of game in Walton and Union voting precincts, in Boone county.

An act for the benefit of the Independent Amazon Fire Engine and Hose Company, of Maysville.

An act to authorize the County Court of Martin county to levy an ad valorem tax in said county.

An act to authorize jailers of this Commonwealth to appoint deputies.

An act to amend an act, entitled "An act to authorize the Clark County Court to issue bonds for certain purposes," approved April 29, 1884.

Resolution directing the Committees on Printing to investigate charges against Public Printer.

That they had concurred in the adoption of resolutions and passed a bill which originated in the Senate of the following titles, viz:

Resolution directing Committee on Penitentiary and House of Reform to report upon the employment of convict labor in mines, etc.

Resolution raising a committee to examine and report on branch Penitentiary, at Eddyville.

An act to repeal an act, entitled "An act allowing any Constable in the city of Newport to appoint one deputy."

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to grant the consent of the State of Kentucky to the acquisition of certain lands in the State of Kentucky," approved January 24, 1880.

2. An act to incorporate the Stanford Street Railway Company.

3. An act to amend chapter 56 of the General Statutes, entitled "Incorporated Companies."

4. An act to authorize surveyors to administer certain oaths, and to repeal section 3, article 3, chapter 105, General Statutes.

5. An act to enable James L. Moss, Clerk of the Hickman County Court, to qualify and act as guardian for Wm. R. and Charles W. Moss.

6. An act to empower the trustees of Republican Church, near Nebo, in Hopkins county, to sell the said church property and re-invest the proceeds in a new house of worship.

7. An act to keep persons sentenced to imprisonment in the county jail in Muhlenburg county at labor.

8. An act to regulate the time for holding the Bullitt County Court.

9. An act prescribing the manner of selling the sulphate and other preparations of morphine and opium in this State, and for other purposes.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

They were referred—the 1st and 5th to the Committee on the Judiciary, the 2d to the Committee on Railroads, the 3d and 4th to the Committee on General Statutes, the 6th to the Committee on Religion and Morals, the 7th to the Committee on Propositions and Grievances, the 8th to the Committee on Courts of Justice, and the 9th to the Committee on Public Health.

The following petitions were presented, viz:

By Mr. Wallace—

1. The petition of sundry citizens of the town of Louisa, Boyd county, praying the repeal of the words "and every two years thereafter" in the sixth section of an act, entitled "An act to amend an act entitled an act to amend and reduce into one the acts incorporating the town of Louisa," approved March 6, 1878.

By same—

2. The petition of sundry tax payers of common school district No. 7 in Boyd county, praying the passage of an act authorizing the trustees of said district to issue bonds to build and furnish a school-house in said district.

By same—

3. The petition of sundry citizens and tax payers of common school district No. 37 in Boyd county, praying the passage of an act authorizing the board of trustees of said district to issue bonds for the purpose of building and furnishing a school-house in same.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on General Statutes, and the 2d and 3d to the Committee on Education.

On motion of Mr. Grundy, leave of absence, indefinitely, was granted Mr. Gilbert.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

A bill to amend the charter of the Short Route Railway Transfer Company.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration

A bill to amend section 234, of the Criminal Code.

On motion of Mr. Alford,

Ordered, That the further consideration of said bill be postponed, and made the special order of the day for to-morrow, February 2d, at 10 : 40 o'clock A. M., and from day to day until disposed of.

A message, in writing, was also received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 1, 1886.

Gentlemen of the Senate and House of Representatives:

At the opening of your present session I had occasion to congratulate you upon the condition of the Penitentiary. It was, as I thought, eminently satisfactory in every respect. The prison had been made cleanly, comfortable and healthy; the wants of the convicts had been properly provided for; disease and death had diminished among them to an unparalleled degree; discipline, order, quietude and correct deportment had taken the place of confusion, misconduct, insubordination, conspiracy and revolt. The Commissioners of the Sinking Fund had succeeded, under the most embarrassing circumstances, in negotiating a contract with responsible parties, which not only promised to relieve the tax payers of the Commonwealth from any burden or embarrassment on account of their State prison for four years, but to contribute over $8,000 a year to the public revenues during that time. The utmost harmony prevailed between the contractors and the prison management; and, in view of these facts, I had good reason to hope that the subject would no longer vex the popular ear.

It has nevertheless become my disagreeable duty to call your attention to an important and unexpected change in the affairs of that institution which may lead to very perplexing, if not disastrous, consequences, and which, in my judgment, demand your immediate and earnest consideration.

It will be seen by reference to the correspondence which I have the honor to transmit herewith that the Mason & Foard Company have asked to be relieved from the contract to which I have referred, and given notice to the Commissioners that, unless relieved by the first day of the coming month, they will abandon their lease, and on that day return to the prison all convicts now employed by them outside the walls.

This, in my judgment, would be a popular calamity. It suggests possibilities at which humanity revolts with instinctive horror. There are, all told, but seven hundred and forty-four

cells in the Penitentiary for male prisoners. Of these, but six hundred and forty-eight are available, and they are barely sufficient for one convict each. The remaining ninety-six are totally unfit for occupancy, except in the mildest weather. Therefore, unless some provision shall be made for their better accommodation, over a thousand convicts must be crowded into quarters scarcely sufficient for six hundred and forty-eight. In other words, over seven hundred human beings must be immured by couples in cells only three feet nine inches wide, six feet three inches high, and six feet eight inches long, furnishing, under the most favorable circumstances, air sufficient for a single person only.

If you would realize the terrible results which must ensue from such a condition of things, you have but to recur to the horrible history of squalor, misery, crime, disease and death disclosed by the investigation of the condition of the Penitentiary made by your predecessors in the winter of 1879–80.

But the necessity of furnishing sufficient cell-room is not all. Provision must be made for feeding, clothing, bedding and guarding the convicts, as well as for fuel, medicines, the transportation of those discharged, and the salaries of the prison officials. This, upon a careful estimate, which I have caused to be made, taking the whole number of convicts at eleven hundred, will cost $376.11 per day, or $137,304.57 for the first year.

Nor is this all. If the convicts are to be employed, they must be provided with implements, machinery and materials. The State now owns merely the boilers, engines and some old hemp looms, long since abandoned. It will be necessary, therefore, in order to furnish employment to anything like the whole number of convicts, to provide for an immediate outlay of from fifty to seventy-five thousand dollars for this purpose, besides an appropriation of a similar amount to keep up the stock during the year, or until some income can be realized from the sale of manufactured commodities, which cannot be expected for many months, as a market must first be found, and many of such sales will necessarily have to be on a credit.

How the means are to be provided to meet such an emergency, in view of the existing condition of our finances, presents a very grave and perplexing question. As I stated in my former

message, we are prohibited by a provision in our Constitution from borrowing another dollar; and I am informed by the Auditor that claims against the Treasury have already been deferred for six months, and that every cent which is expected to be available for the next sixty days from revenue yet in the hands of the Sheriffs must go to the School Fund, upon which the demands are made due by law during the present month.

It must not be supposed, however, that the labor of the Penitentiary can, by any possibility, be made remunerative or even self-sustaining, while confined to the walls of the prison, although supplied most liberally with both machinery and materials. There is not only a lack of sufficient room for the constant or successful employment of a thousand men within the walls, but a large majority of the convicts are unskilled laborers, many of whose terms would expire before they could acquire the merest rudiments of a trade, and who must consequently remain idle and unprofitable. This is not left to mere conjecture. It has been demonstrated by actual experiment. On the eleventh day of August, 1880, William Jones leased the labor of only six hundred convicts for the term of four years, to be worked within the walls of the Penitentiary. The convicts were worked under the supervision and management of the present Warden, but before the expiration of the second year the contract was abandoned, and the Commissioners left to make other arrangements for the conduct of the Penitentiary.

It may be true that the Mason & Foard Company can be held to answer in damages for abandoning their contract, but it must be remembered that months, and perhaps years, may elapse before the question can be determined, and that in the meantime provision must be made for the sustenance and employment of the convicts; that at this time the Commonwealth does not even own the clothing which they wear, or the beds upon which they sleep, a pound of meat or an ounce of flour with which to feed them, or a dollar's worth of material upon which they may be employed.

I have deemed it my duty to bring this matter to your attention at the earliest moment, in order that you might have the amplest opportunity to provide for the contingency indicated in the accompanying correspondence, and with the hope that your

wisdom may be able to devise some means for meeting the grave emergency with which the government and the tax payers of the Commonwealth are confronted.

Very respectfully,

J. PROCTOR KNOTT.

EXECUTIVE OFFICE, February 1, 1886.

FRANKFORT, KY., January 30, 1886.

To HONS. J. PROCTOR KNOTT, FAYETTE HEWITT, P. W. HARDIN, JAMES A. MCKENZIE, *and* JAMES W. TATE, *Commissioners of the Sinking Fund and ex officio Directors of the Kentucky Penitentiary:*

GENTLEMEN: On the 8th day of April, 1885, in pursuance of the authority vested in you by law, you accepted a proposition submitted to you by the undersigned, the Mason & Foard Company, for the lease of the labor of the convicts who then were, or might thereafter be, in the Kentucky Penitentiary, for the period of four years from the first day of April, 1885; and thereupon a writing evidencing the terms and stipulations of said contract of lease was executed by the undersigned, with their sureties, and was placed upon your records. It will appear from said contract that for said labor the said contractors stipulated to pay into the Treasury of the Commonwealth $8,333.33 annually, in equal quarterly installments, and to keep the Commonwealth acquit of all charge or expense on account of all officers, guards and inspectors of said Penitentiary.

Prior to the execution of said contract, to-wit, on the 16th of September, 1884, under and by virtue of the power conferred upon you by law, you removed "from the position of Warden of the Penitentiary" W. T. B. South, who then occupied said position under the same law which gave the said power of removal, and afterwards appointed Edmund H. Taylor to the position so vacated.

Justice to themselves now requires that the undersigned should state that it was in view of the removal of said South and the appointment of his successor that the undersigned entered into the said contract or lease. Nothing could have induced them to assume the risks and responsibilities involved

in such an enterprise under the management and control of Mr. South as Warden of the Penitentiary. And here we deem it proper to disclaim any feeling of ill-will or personal hostility towards him. Our business and social relations with him have always been pleasant, and we have never known or heard of anything calculated to create a suspicion as to his personal honor and integrity. But we are, nevertheless, constrained to say that we were, at the time of entering into said contract, and still are, satisfied of his entire incompetency to manage, direct and control the complicated and important affairs of such an institution; and we are furthermore satisfied that with Mr. South as Warden—he having just been reinstated as such—our contract with the Commonwealth for the labor of the convicts under his control will prove not only unprofitable, but disastrous to ourselves as principals, as well as to the friends who are bound with us as sureties.

It is proper to say in conclusion that we have always found the Directors of the Penitentiary careful and watchful of the interests of the Commonwealth, and of the welfare and comfort of those whose labor has been to some extent placed at their disposal, and we take occasion to say further that our relations with the Directors have always been of the most agreeable character.

For the reasons above indicated, the Directors are respectfully asked to release the undersigned from the said contract of lease.

MASON & FOARD COMPANY,
By CHAS. E. HOGE, *President.*

FRANKFORT, KY., January 30, 1886.

GENTLEMEN: Your communication of this date, asking to be released from the contract entered into between you and the undersigned, as Commissioners on the part of the Commonwealth, by which the convict labor of the Kentucky Penitentiary was leased to you for four years from the first of April last, has been duly considered, and in reply the undersigned beg leave to say that they have no authority under the law to absolve you from your contract on any grounds. That power rests alone with the Legislature. They would add that, regarding the contract

as one highly advantageous to the Commonwealth, and in view of the promptness and cheerfulness with which you have complied with its obligations, they regret extremely that you should have found it necessary to submit this request to be released.

Very respectfully,

J. PROCTOR KNOTT,
FAYETTE HEWITT,
P. W. HARDIN,
J. A. MCKENZIE,
JAMES W. TATE.

Mason & Foard Company, Frankfort, Ky.

FRANKFORT, KY., January 30, 1886.

To HONS. J. PROCTOR KNOTT, FAYETTE HEWITT, P. W. HARDIN, JAMES A. MCKENZIE *and* JAMES W. TATE, *Commissioners of the Sinking Fund and ex officio Directors of the Kentucky Penitentiary:*

GENTLEMEN: We have just received your communication of this date, in which you decline, for want of legal authority, to absolve us from our contract.

Now, in order to afford you time for the necessary preparation, we deem it due to ourselves and to you to notify you that in the event of our failure to obtain the legislative relief to which you allude, we will, on the first day of March next, abandon our contract and return to the Penitentiary the convicts now in our employment outside of the walls. We will, of course, discharge all our obligations to the Commonwealth up to the date mentioned. Very respectfully,

MASON & FOARD COMPANY,
By CHAS. E. HOGE, *President.*

On motion of Mr. D. H. Smith,

Ordered, That said message be printed and referred to the Committee on Penitentiary and House of Reform.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to punish and make seduction a felony in this Commonwealth.

The question pending being on the amendment proposed by the committee to said bill, which reads as follows, viz:

Amend by striking out of first section the words "under promise of marriage," and add just before word "female," the word "unmarried," when said section will read: "That whoever shall seduce and have carnal knowledge of any unmarried female under sixteen years of age, shall, etc."

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Bryan,

Ordered, That said bill, as amended, be placed in the orders of the day.

Mr. Boles read and laid on the table a joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund, *ex officio* Directors of the Penitentiary, furnish to this General Assembly copies of all contracts made by said Directors and lessees of the labor of the convicts from May 3, 1880, to the incoming of the present Governor of this Commonwealth.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

The Senate took up for consideration the unfinished report of the Committee on Courts of Justice, being a bill entitled

A bill to amend article 31, chapter 29, General Statutes, title "Crimes and Punishments."

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Martin moved to amend said bill by adding thereto the following, "but this amendment shall not prevent any such judge from qualifying as executor, administrator or guardian of any member of his own family."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 2, of article 31, chapter 29, of the General Statutes, be amended by adding to said section the following: And it shall be unlawful for the Judge of any Circuit, Common Pleas or Chancery Court, during his continuance in office, to become executor or administrator of a deceased person, guardian of a minor or trustee or assignee of any trust or estate, and any Judge so offending shall be guilty of malfeasance in office, and shall be subject to indictment, and, upon conviction, shall be fined not less than five hundred dollars for each offense, and in addition shall be liable to impeachment and removal from office; but this amendment shall not prevent any such Judge from qualifying as executor, administrator or guardian of any member of his own family.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the motion heretofore entered by Mr. Triplett, to reconsider the vote by which the Senate refused to suspend the rules and order to a third reading a bill from the House of Representatives, entitled

An act establishing a new voting precinct in Oldham county, to be known as Centerfield precinct.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Cravens,

Said bill was then placed in the orders of the day.

Leave was given to bring in the following bill, viz:

On motion of Mr. Albritton—

1. A bill to incorporate the Peoples' Bank of Fulton, in the city of Fulton, Fulton county.

Ordered, That the Committee on Charitable Institutions prepare and bring in said bill.

On motion of Mr. D. H. Smith, the Senate then adjourned.

TUESDAY, FEBRUARY 2, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives announcing that they had passed bills which originated in the Senate, of the following titles, viz:

An act authorizing J. B. Spencer, of Lawrence county, to execute revenue bond on second Monday in February, 1886.

An act to strike out and repeal part of an act to amend an act to incorporate the Cumberland and Ohio Railroad Company, approved March 11, 1873.

That they had passed a bill, entitled

An act to incorporate the Park City Railway Company,

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Railroads.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the House of Representatives, entitled

An act to amend section 13, article 4, chapter 29, General Statutes;

And an enrolled bill and a resolution which originated in the Senate, of the following title, viz:

An act to repeal an act, entitled "An act allowing any Constable in the city of Newport to appoint one deputy;"

Resolution directing Committee on Penitentiary and House of Reform to report upon the employment of convict labor in mines, etc;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. McDanell, from the joint committee of conference, appointed by the two Houses to take into consideration the disagreement of the two Houses in regard to an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend and continue in force the charter of the Breckinridge bank, at Cloverport, in Breckinridge county,

Presented the following report, viz:

To the General Assembly of the Commonwealth of Kentucky:

The joint committee of conference, consisting of three Senators and three Representatives, beg leave to submit the following as the result of its deliberations upon a Senate amendment to House bill No. 9, entitled "An act to amend and continue in force the charter of the Breckinridge bank at Cloverport, in Breckinridge county," we are of opinion that the Senate should recede from its amendment for the following reasons:

1. A very large majority of the bank charters of this State, some of which charters are unrepealable, have similar sections to section six, sought to be repealed by the Senate amendment.

2. All of the national banks are taxed at the same rate as the bank at Cloverport. Where it is considered that the bank tax is paid directly to the Auditor without commission. The tax is uniform and equal.

J. H. McDANELL,
Chairman of Senate Committee.

W. L. JACKSON, JR.,
Chairman of House Committee.

The question being on the adoption of said report,

On motion of Mr. Feland,

Ordered, That the further consideration of said report be postponed and made the special order of the day for Thursday next, 4th inst., at 11 A. M.

By unanimous consent, the rules were suspended, and Mr. Dixon, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend section 234, of the Criminal Code.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all of section 234, of the Criminal Code of Practice, except the number thereof, shall be, and is hereby, repealed, and in lieu thereof the following shall be substituted: No person shall be disqualified as a witness in any penal or criminal cause or proceeding by reason of his interest in the event of same, as a party or otherwise, but such interest may be shown for the purpose of affecting his credibility: *Provided, however*, That the defendant, or the husband or wife of the defendant, shall, at the defendant's request and not otherwise, be deemed a competent witness, and his neglect to testify in his own behalf shall not create any presumption against him, nor shall the court permit any reference to or comment upon such neglect; but if the offense is charged to have been committed against the person of one who is the husband or wife of the accused, such husband or wife shall be a competent witness for the prosecution: *And provided further*, That in prosecutions for homicide, the accused shall not be permitted to testify, unless the declarations of the person charged to have been killed shall have been admitted as evidence, in which case the accused may testify concerning facts and circumstances only to which such declarations relate.

§ 2. This act shall take effect from and after its passage.

Mr. Gilbert moved to amend said bill by inserting at the end of the first section the following, viz:

"But in all cases where a defendant testifies at all, he must do so before introdncing any other testimony in his behalf."

And the question being taken thereon, it was decided in the affirmative.

Mr. Wallace moved to amend said bill as follows, viz:

Amend section 1 by striking out of lines 5 and 6 of said section, "penal or criminal cause or proceeding," and inserting the following, "prosecution under an indictment for a felony."

And the question being taken thereon, it was decided in the negative.

Mr. Worthington moved to strike out all of section 1 of said bill after and including the words "and provided further," in line 16.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	F. T. D. Wallace,
W. M. Cravens,	L. M. Martin,	E. L. Worthington,
Henry Dixon,	J. N. Price,	J. H. Wilson—11.
John Feland,	W. H. Taulbee,	

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	W. F. Neat,
M. C. Alford,	G. G. Gilbert,	J. W. Ogilvie,
S. H. Boles,	T. S. Grundy,	F. D. Rigney,
J. W. Bryan,	R. G. Hays,	D. H. Smith,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
A. R. Byers,	J. H. McDanell,	R. S. Triplett—20.
C. M. Clay, Jr.,	L. W. McKee,	

Mr. Hill moved to amend said bill by striking out the words, "or the husband or wife of the defendant shall at the defendant's request and not otherwise," in the 9th and 10th lines.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,
M. C. Alford,
A. S. Berry,
C. M. Clay, Jr.,
W. M. Cravens,
Henry Dixon,
John Feland,
W. H. Frederick,
S. E. Hill,
L. M. Martin,
L. W. McKee,
J. N. Price,
F. D. Rigney,
D. H. Smith,
J. R. W. Smith,
W. H. Taulbee,
R. S. Triplett,
E. L. Worthington,
J. H. Wilson—19.

Those who voted in the negative, were—

S. H. Boles,
J. W. Bryan,
R. A. Burnett,
A. R. Byers,
F. M. Clement,
G. G. Gilbert,
T. S. Grundy,
J. H. McDanell,
W. F. Neat,
J. W. Ogilvie—10.

Resolved, That the title of said bill be as aforesaid.

Leave was granted to bring in the following bills:

On motion of Mr. Wallace—

1. A bill to establish a board of commissioners for Lawrence county, and to define their powers.

On motion of Mr. Taulbee—

2. A bill to repeal chapter 1335, of Session Act, 1883–84, being an act to provide for and regulate the ventilation of coal mines in this State, and for the better protection of miners.

On motion of Mr. Hill—

3. A bill to prohibit the working of convicts in the coal mines of this Commonwealth.

Ordered, That the Committee on Courts of Justice prepare and bring in said bills.

On motion of Mr. Berry, the Senate then adjourned.

WEDNESDAY, FEBRUARY 3, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of resolutions which originated in the Senate, of the following titles, viz:

Resolution raising a committee to consider the propriety and expediency of re-districting the State into judicial districts.

Resolution calling for copies of all contracts made by Directors of the Penitentiary and lessees of the convict labor from May 3, 1880, to incoming of the present Governor.

With amendments thereto as substitutes for said resolutions.

Which amendment to the first named resolution was adopted.

That they had passed bills which orginated in the Senate, of the following titles, viz:

An act to change the time of holding the Pendleton Quarterly Court.

An act to amend the charter of the Short Route Railway Transfer Company.

An act to incorporate the Henderson Street Railway Company.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

1. An act to incorporate the St. Louis, Carbondale, Metropolis and Paducah Railway Company.

2. An act to legalize certain acts of the South Kentucky and the Evansville, Jackson and New Orleans Railroad Companies.

3. An act to incorporate the Paducah Street Railway Company.

4. An act to amend an act to incorporate the Paducah and Illinois Bridge Company, approved April 26, 1880.

5. An act to incorporate and establish a system of public schools in the town of Elkton, and within a radius of three miles of the court-house in said town.

6. An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 3d and 4th to the Committee on Railroads, and the 5th to the Committee on Education.

Ordered, That the 6th and last named bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boles moved that a committee of conference be appointed to take into consideration the disagreement of the two Houses in regard to an amendment proposed by the House of Representatives to a joint resolution adopted by the Senate, entitled

Joint resolution raising a committee to investigate book of accounts of Geologist.

And the question being taken thereon, it was decided in the affirmative.

Whereupon, the Speaker appointed Messrs. Boles, Feland and Hill such committee on the part of the Senate.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to amend and re-enact an act, entitled "An act to incorporate the People's Mutual Assurance Fund," approved April 22, 1884.

An act authorizing J. B. Spencer, of Lawrence county, to execute revenue bond on second Monday in February, 1886.

An act to repeal an act, entitled "An act allowing any Constable in the city of Newport to appoint one deputy."

An act to amend the charter of the city of Frankfort.

Resolution directing Committee on Penitentiary and House of Reform to report upon the employment of convict labor in mines, etc.

By unanimous consent, the rules were suspended, and the Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to punish and make seduction a felony in this Commonwealth.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bryan presented and moved to have read a communication from the Mason & Foard Company in regard to their lease of convict labor.

Mr. Cravens objected to the reading of said communication.

And the question being taken on ordering the same to be read, it was decided in the affirmative.

Said communication was then read as follows, viz:

To the General Assembly of the Commonwealth of Kentucky:

Your petitioners, the Mason & Foard Company, respectfully represent: That on the first day of April, 1885, they entered into a contract with the Commonwealth of Kentucky for the lease or hire of all the convict labor in the Penitentiary. The circumstances under which they agreed with the Directors of the Penitentiary to execute said contract were briefly these:

Under the provisions of an act to provide for the relief of the Penitentiary, approved May 3, 1880, W. T. B. South had been elected Warden of that institution by the General Assembly. In September following, the Commissioners of the Sinking Fund, being *ex officio* Directors of the Penitentiary, in the exercise of the discretion confided to them by the second section of the act, removed said South as Warden, and subsequently filled the vacancy thus occasioned by the appointment of Edmund H. Taylor, Jr.

The duties to be performed by the Warden are prescribed in the third and some of the succeeding sections of the act. He is required to take charge of all the property of the State appertaining to the prison; to maintain strict discipline in the management and government of the prisoners, and to enforce the observance of discipline and proper deportment, and also industry among them, by reasonable punishment and penalties; to reside in the dwelling near the prison; to make, with the approval of the Commissioners, necessary alterations and repairs in the workshops and machinery; to carefully supervise the government, discipline and police of the prison; to give all necessary directions to the inferior officers and guards, and secure a careful and diligent discharge of their several duties;

to examine daily into the state of the prison, and the health, diet, comfort and safety of the convicts; to report quarterly to said Commissioners the numbers of guards employed, their names and duties, and such other matters as may be required; and generally to have charge of all the departments of the prison and its officers. And by section 16, it is provided that all persons hired under contract as herein provided, shall remain under prison police and government. The slightest appreciation of the nature of these diversified and important duties is sufficient to show that to their due performance a peculiar combination of qualities is requisite, and that among these qualities judgment, discretion, vigilence and self-control are absolutely indispensable. Now, is any argument necessary to prove that upon the intelligent and faithful manner in which the Warden discharges these duties, depends the success or failure of the lessees of the convict labor?

Mr. South did not possess the essential qualifications mentioned. This fact was well known to your petitioners before, as well as at the time they entered into the contract. But for his removal and the appointment of a thoroughly qualified man in his place, in connection with the additional fact that your petitioners believed the removal permanent, and that Mr. South would not be restored during the period covered by their contract, no such contract would have been made. True, the removal was subject to the right of the Warden to be re-instated upon the contingency that the next succeeding General Assembly should fail or refuse within the time prescribed to concur in the removal. The statute so provides, and the contractors were not ignorant of the provision. But they also knew that the Commissioners who made the removal were, by other provisions of the law, placed in the most intimate business relation with the Warden—such as gave them the fullest opportunity for knowing all about his qualification and his official acts. Besides, the Commissioners were well known to be men of the highest character, whose official acts could not be assailed by the imputation of unworthy or improper motives. These considerations led your petitioners to assume with entire confidence that the removal of Mr. South as Warden by the Commissioners would be concurred in without hesitation by this General Assembly.

It is indisputably true that your petitioners acted upon that assumption in entering into the contract, and without any apprehension or even a thought of the contingency which has happened. It is hardly necessary that we should disclaim, in anything that has been said, any intention to question the motives or conduct of this body, or any member of it, in what it has thought fit to do or not to do in reference to this matter. We also disclaim any feeling of hostility or ill-will toward Mr. South. Our personal and social relations with him have always been pleasant. Our only purpose is to set forth as plainly as we can the facts and circumstances upon which we ask to be absolved from the obligation of our contract, satisfied as we are that under the changed conditions now existing, we could not successfully go on with the work.

On Saturday, the 30th ult., your petitioners were informed of the events which would necessarily lead to the re-instatement of Mr. South, Warden of the Penitentiary, and at once addressed to the Commissioners a communication in which your petitioners asked to be released from their contract. The Commissioners replied that the General Assembly alone had the authority to grant the relief asked, and that authority is now respectfully invoked.

As an additional reason for this application, we suggest that the agitation and discussion of the matters above alluded to has already brought about a condition of excitement and demoralization among the convicts which render it impossible for us to obtain the amount and quality of labor to which we are entitled under our contract; and the future affords no prospect whatsoever of any amendment in the present unfortunate and unexpected state of affairs. It will at once occur to the General Assembly that good order among the laborers and entire accord and unity of purpose among all the departments of the State government and the contractors are indispensable conditions of the success of the latter. Wherefore your petitioners respectfully ask to be released from their said contract of April, 1885. Very respectfully,

MASON & FOARD CO.,
By CHAS. E. HOGE, *President.*

Mr. D. H. Smith moved to lay said communication on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Simon, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. M. Cravens,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	D. H. Smith,
S. H. Boles,	J. N. Price,	W. H. Taublee—10.
A. R. Byers,		

Those who voted in the negative, were—

J. W. Bryan,	G. G. Gilbert,	J. W. Ogilvie,
R. A. Burnett,	T. S. Grundy,	J. T. Simon,
W. W. Bush,	J. D. Harris,	J. R. W. Smith,
C. M. Clay, Jr.,	S. E. Hill,	R. S. Triplett,
F. M. Clement,	L. M. Martin,	F. T. D. Wallace,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
John Feland,	L. W. McKee,	J. H. Wilson—23.
W. H. Frederick,	W. F. Neat,	

Mr. Hays moved to refer said communication to the Committee on Penitentiary and House of Reform.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

A bill to regulate the jurisdiction of the Quarterly Courts of this Commonwealth.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Quarterly Courts of the several counties of this Commonwealth shall have original jurisdiction, both in law and equity, concurrent with Justices of the Peace in all civil actions and proceedings.

§ 2. Quarterly Courts shall have concurrent—original jurisdiction with Circuit Courts—of all actions for the recovery of money or personal property where the matter in controversy, exclusive of interests and costs, exceeds fifty dollars, and does not exceed two hundred dollars in value.

§ 3. Sections 1 and 2, of article 13, chapter 28, of the General Statutes, and all other acts in conflict herewith, are hereby repealed.

§ 4. This act shall take effect and be in force from and after its passage.

Mr. J. R. W. Smith moved to amend said bill by adding to section 3 the following, viz:

The provisions of this act shall not apply to the county of Jefferson.

Sundry amendments were proposed to said bill.

Mr. Feland moved to lay said bill and proposed amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Rigney, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	John Feland,	W. F. Neat,
A. R. Byers,	T. S. Grundy,	F. D. Rigney,
C. M. Clay, Jr.,	J. D. Harris,	W. H. Taulbee—11.
W. M. Cravens,	R. G. Hays,	

Those who voted in the negative, were—

J. W. Bryan,	S. E. Hill,	D. H. Smith,
R. A. Burnett,	L. M. Martin,	J. R. W. Smith,
W. W. Bush,	J. H. McDanell,	R. S. Triplett,
F. M. Clement,	L. W. McKee,	F. T. D. Wallace,
Henry Dixon,	J. N. Price,	E. L. Worthington,
W. H. Frederick,	J. T. Simon,	J. H. Wilson—19.
G. G. Gilbert,		

The question was then taken on the amendment proposed by Mr. J. R. W. Smith to said bill, and it was decided in the affirmative.

Mr. Martin moved that said bill and proposed amendments be recommitted to the Committee on Courts of Justice.

And the question being taken thereon, it was decided in the affirmative.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and reads as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 3, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent, will appoint the following named persons as notaries public for the limits hereinafter designated:

L. S. Kornhorst, Jefferson county.
Tyler Barnett, Jefferson county.
G. H. Logan, Jefferson county.
W. A. Foreman, Jefferson county.
E. C. Bohne, Jefferson county.
Charles H. Rhodes, Boyle county.
Abraham Jenkins, Monroe county.
R. S. Evans, Allen county.
R. G. Salyer, Montgomery county.
Z. Gibbons, Fayette county.
Q. C. Quigley, McCracken county.
Henry B. Hines, Warren county.
H. W. Walters, Logan county.
Wm. P. Nunnally, Metcalfe county.
Jonas Martin, Lyon county.
Joseph B. Cox, Spencer county.
James P. Gregory, Jefferson county.
F. W. Finley, Whitley county.
F. W. Morancy, Jefferson county.
Fred P. Geibee, Henderson county.
Peter Geibel, Henderson county.
L. A. McGrief, McCracken county.
E. T. Woolfolk, McCracken county.
Wm. Grief, McCracken county.
Thomas P. Satterwhite, Jr., Jefferson county.
James L. Clark, Spencer county.
J. W. Reasor, Spencer county.
James Wilcox, Shelby county.
Presley S. Ford, Bourbon county.
Lewis Tomppert, Jefferson county.
James W. Beattie, Jefferson county.
Micajah Fible, Jefferson county.

I am, very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Martin, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to amend and continue in force chapter 1324, Session Acts of 1881–82, entitled "An act to establish a Superior Court and to regulate same."

Reported the same with an amendment as a substitute therefor.

On motion of Mr. J. R. W. Smith,

Ordered, That said bill and proposed amendment be postponed and made the special order of the day for Wednesday, February 10th, at 11 o'clock A. M.

Mr. Neat, from the Committee on Enrollments, reported that the Committee had examined an enrolled bill which originated in the House of Representatives, of the following title, viz:

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester;"

And enrolled bills which originated in the Senate of the following titles, viz:

An act to strike out and repeal part of an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved March 11, 1873;

An act authorizing J. B. Spencer, of Lawrence county, to execute revenue bond on second Monday in February, 1886;

An act to change the time of holding the Pendleton Quarterly Court;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Boles read and laid on the table the following joint resolution, viz:

WHEREAS, By section 2, of chapter 89, of the General Statutes of this Commonwealth, the Librarian, under the orders of the Governor, is directed and ordered to purchase from time to time such furniture as may be required in the Capitol, State court-rooms, public offices and Governor's house, together with fuel and lights for the General Assembly, Governor and Secre-

tary's offices, Office of Auditor, Treasurer, Register, Librarian, Adjutant-General, Quartermaster-General, Superintendent of Public Instruction, court-rooms, and also for all fuel, lights, water and ice for the Governor's house; and, whereas, by section 4 of said chapter, a statement of the expenditures for such matters containing the items is required to be returned to the Governor and laid before each session of the General Assembly, and entered upon the Journals of both Houses; and, whereas, no such statement has been laid before this session of the General Assembly, or the session of 1883 and 1884; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor do, at his earliest convenience, lay before this General Assembly for its information such statement, as well as the statement that ought to have been laid before the General Assembly of 1883 and 1884, so that the same may be entered on the Journals of each House.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

Mr. Hays moved the following resolution, viz:

Resolved by the Senate, That the Secretary of State furnish the Senate twenty-five copies of the Acts of the last General Assembly, if he is in possession of that number, for the use of the Senate during the present session. If he has not in his possession the above number, he will furnish whatever he may have.

Which was read and adopted.

The Senate, according to order, took up for consideration a bill, entitled

A bill to regulate the sale of intoxicating liquors in this Commonwealth.

Mr. Berry moved that the Senate resolve itself into a Committee of the Whole on the state of the Commonwealth for the further consideration of said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Hill, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	Henry Dixon,	J. W. Ogilvie,
S. H. Boles,	W. H. Frederick,	J. N. Price,
J. W. Bryan,	R. G. Hays,	J. T. Simon,
R. A. Burnett,	S. E. Hill,	W. H. Taulbee,
A. R. Byers,	L. M. Martin,	R. S. Triplett,
C. M. Clay, Jr.,	J. H. McDanell,	J. H. Wilson—20.
W. M. Cravens,	L. W. McKee,	

Those who voted in the negative, were—

W. W. Bush,	T. S. Grundy,	D. H. Smith,
F. M. Clement,	J. D. Harris,	J. R. W. Smith,
John Feland,	W. F. Neat,	E. L. Worthington,
G. G. Gilbert,	F. D. Rigney,	F. T. D. Wallace—12.

The Senate thereupon resolved itself into a Committee of the Whole on the state of the Commonwealth for the further consideration of said bill.

Whereupon the Speaker of the Senate vacated the chair and Mr. Berry was called to and occupied the same.

After a time spent in consideration of said bill, the committee rose, the Speaker of the Senate resumed the chair, and Mr. Berry, the chairman, reported that the committee had had under consideration a bill, entitled

A bill to regulate the sale of intoxicating liquors in this Commonwealth.

And after proceeding with the consideration of the same for a time had risen and directed him to report the bill back to the Senate, with the expression of opinion that said bill be referred to the Judiciary Committee, with directions to report upon the question of the constitutionality of said bill as raised by section 30, of the Constitution, which provides that all bills for raising revenue shall originate in the House of Representatives.

And the question being taken on sustaining the report of the committee, it was decided in the affirmative.

Mr. Hays, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to create a Common Pleas Court for Marion county,

Reported the same with the expression of opinion that said bill ought to pass.

Pending the further consideration of said bill, the hour of 12 o'clock M. having arrived, further action thereon was cut off by the orders of the day.

The Senate took up for consideration an amendment proposed by the House of Representatives to a resolution which originated in the Senate, entitled

Resolution raising a committee to examine and report on branch Penitentiary, at Eddyville.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

The Senate, took up for consideration a bill which originated in the House of Representatives, entitled

An act establishing a new voting precinct in Oldham county, to be known as Centerfield precinct.

Said bill having been reported by the Committee on General Statutes as within the inhibition of Joint Rule No. 1,

By unanimous consent, the rules were suspended, and said bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. Bryan, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to grant the consent of the State of Kentucky to the acquisition of certain lands in the State of Kentucky, etc.," approved January 24, 1880,

Reported the same with an amendment as a substitute for said bill.

And the question being taken on the adoption of said amendment as a substitute, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to punish certain offenses by stripes,

Asked to be discharged from the further consideration of the leave.

Mr. Berry moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	J. N. Price,	D. H. Smith,
John Feland,	F. D. Rigney,	E. L. Worthington,
L. W. McKee,	J. T. Simon,	F. T. D. Wallace—9.

Those who voted in the negative, were—

S. H. Boles,	W. H. Frederick,	J. H. McDanell,
J. W. Bryan,	G. G. Gilbert,	W. F. Neat,
R. A. Burnett,	T. S. Grundy,	J. W. Ogilvie,
W. W. Bush,	J. D. Harris,	J. R. W. Smith,
A. R. Byers,	R. G. Hays,	W. H. Taulbee,
C. M. Clay, Jr.,	S. E. Hill,	R. S. Triplett,
F. M. Clement,	L. M. Martin,	J. H. Wilson—22.
Henry Dixon,		

The question then recurred on the motion to discharge the committee from the further consideration of said leave.

And the question being taken thereon, it was decided in the negative.

Said bill was then read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Simon proposed an amendment to said bill.

On motion of Mr. Gilbert,

Ordered, That said bill and proposed amendment be recommitted to the Committee on General Statutes.

Mr. Berry moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Boles, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Frederick, R. G. Hays, R. S. Triplett,
G. G. Gilbert, J. H. McDanell, E. L. Worthington,
T. S. Grundy, L. W. McKee, F. T. D. Wallace—11.
J. D. Harris, D. H. Smith,

Those who voted in the negative, were—

A. S. Berry, F. M. Clement, J. W. Ogilvie,
S. H. Boles, Henry Dixon, J. N. Price,
J. W. Bryan, John Feland, F. D. Rigney,
R. A. Burnett, S. E. Hill, J. T. Simon,
W. W. Bush, L. M. Martin, W. H. Taulbee,
A. R. Byers, W. F. Neat, J. H. Wilson—19.
C. M. Clay, Jr.,

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Banks and Insurance—

A bill to amend the charter of the Franklin Insurance Company, of Louisville.

By Mr. Harris, from the Committee on Internal Improvements—

A bill to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," passed April 4, 1884.

By Mr. Hill, from the Committee on Courts of Justice—

A bill to grant certain powers and privileges to the Deuber Light Company, a corporation organized in Campbell county, under the provisions of chapter 56, of the General Statutes.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Bryan—

1. A bill amending the act incorporating the Covington and Cincinnati Pier Bridge Company, passed April 4, 1884.

On motion of Mr. Feland—

2. A bill to require persons selling oleomargarine to disclose its true character and sell it as such.

On motion of Mr. Berry—

3. A bill to amend the common school laws of the city of Newport, in Campbell county.

On motion of Mr. Byers—

4. A bill for the benefit of Grayson county.

On motion of Mr. Gilbert—

5. A bill requiring all banks in the Commonwealth to list and pay taxes on the fair cash value of all their real and personal property for State, county and municipal purposes at the same rate that is now assessed and collected, or which may hereafter be assessed and collected from other real and personal property in this State, any privileges in any charter to the contrary notwithstanding.

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st; the Committee on Public Health the 2d; the Committee on Education the 3d; the Committee on Finance the 4th, and the Committee on the Judiciary the 5th.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to regulate the time for holding the Bullitt County Court,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnett, from the Committee on General Statutes, to whom was recommitted a bill, entitled

A bill providing for the recording of orders of attachment in certain cases,

Reported the same with an amendment.

Mr. Feland moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

THURSDAY, FEBRUARY 4, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act establishing a fence and stock law in that portion of Hancock county known as Lewis' Bottom, in said county."

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester."

An act to amend section 13, article 4, chapter 29, General Statutes.

That they had passed bills which originated in the Senate of the following titles, viz:

An act to amend an act, entitled "An act to establish a high school in Dixon, Webster county," approved March 13, 1882.

An act to incorporate the Kingston School Joint Stock Company.

An act to amend the charter of the public schools of Owensboro.

An act to establish a line between school district No. 26, Boyd county, and No. 80, Lawrence county.

An act for the benefit of common school district No. 3, Boyd county.

With an amendment to the two last named bills.

That they had passed a bill entitled,

An act to change the boundary line between common school district No. 27, and the Middleburg Seminary District, in Casey county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Propositions and Grievances.

The following petitions were presented, viz:

By Mr. Worthington—

1. The petition of certain citizens of the town of Chester, in Mason county, praying the passage of an act excluding certain property from the corporate limits of said town, and exempting same from municipal taxation.

By Mr. Hill—

2. The petition of certain citizens of the town of Rockport, praying the passage of an act requiring all persons running a steam engine in this Commonwealth to obtain a certificate of qualification from a Board of Examiners.

Which were received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to incorporate the International Hereford Association of Kentucky,

Reported the same with the expression of opinion that said bill was within the inhibition of Joint Rule No. 1.

Mr. Gilbert moved that the said rule be suspended.

And the question being taken thereon, it was decided in the affirmative.

Said bill was then read the first time.

Mr. Clay objected to the further reading of said bill on this day.

So the same fell in the orders of the day.

The Senate, according to order, took up for consideration the unfinished report of the Committee on General Statutes, being a recommitted bill, entitled

A bill providing for the recording of orders of attachment in certain cases.

The question pending being on the amendment proposed by the committee to said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Simon moved to amend said bill by exempting the counties of "Bracken, Pendleton and Grant from the provisions thereof."

And the question being taken thereon, and a quorum of the Senate not voting thereon,

Ordered, That said bill be placed in the orders of the day.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend section 1, of article 29, of chapter 29, of the General Statutes,

Reported the same with the expression of opinion that said bill ought to pass.

Said bill was read as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 1, of article 29, of chapter 29, of the General Statutes, be amended by striking out all of the said section after the word "fined" in the fifth line, and inserting in lieu thereof the following words: "Not less than twenty-five nor more than one hundred dollars, or imprisoned in the county jail for not less than ten nor more than thirty days, or both so fined and imprisoned at the discretion of the jury or court trying the case."

§ 2. This act shall take effect from its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wilson proposed the following amendment as a substitute for said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 1, of article 29, of chapter 29, of the General Statutes, be, and the same is hereby amended, by striking out the following words, viz: "And imprisoned in the county jail for not less than ten nor more than thirty days."

§ 2. This act to take effect from and after its passage.

Mr. Simon moved to recommit said bill and amendment proposed as a substitute to the Committee on General Statutes.

And the question being taken thereon, it was decided in the negative.

Mr. Gilbert moved to lay said bill and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr., J. H. McDanell, J. W. Ogilvie,
G. G. Gilbert, L. W. McKee, J. T. Simon,
T. S. Grundy, W. F. Neat, J. R. W. Smith—10.
J. D. Harris,

Those who voted in the negative, were—

R. T. Albritton, W. M. Cravens, F. D. Rigney,
M. C. Alford, W. H. Frederick, D. H. Smith,
S. H. Boles, R. G. Hays, W. H. Taulbee,
J. W. Bryan, S. E. Hill, F. T. D. Wallace,
R. A. Burnett, H. T. Kendall, E. L. Worthington,
W. W. Bush, J. N. Price, J. H. Wilson—19.
F. M. Clement,

The question was then taken on the amendment proposed by Mr. Wilson as a substitute for said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, D. H. Smith, J. H. Wilson—5.
R. G. Hays, W. H. Taulbee,

Those who voted in the negative, were—

R. T. Albritton, John Feland, W. F. Neat,
S. H. Boles, G. G. Gilbert, J. W. Ogilvie,
R. A. Burnett, T. S. Grundy, J. N. Price,
W. W. Bush, J. D. Harris, F. D. Rigney,
C. M. Clay, Jr., S. E. Hill, J. R. W. Smith,
F. M. Clement, H. T. Kendall, E. L. Worthington,
W. M. Cravens, J. H. McDanell, F. T. D. Wallace—23.
Henry Dixon, L. W. McKee,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. D. H. Smith, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend article 1, of chapter 47, entitled "Gaming," of General Statutes,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. D. H. Smith,

Ordered, That said bill be printed, and made the special order of the day for Tuesday next, the 9th inst., at 11 o'clock A. M.

The Senate, according to order, took up for consideration the report of the committee of conference appointed by the two Houses to take into consideration the disagreement of the two Houses in regard to an amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend and continue in force the charter of the Breckinridge bank, at Cloverport, in Breckinridge county.

On motion of Mr. Hays,

Ordered, That the further consideration of said report be postponed until to-morrow, the 5th inst.

Mr. D. H. Smith, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend chapter 29, General Statutes,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. D. H. Smith,

Ordered, That the further consideration of said bill be postponed and said bill be made the special order of the day for Tuesday next, 9th inst., at 10:45 A. M.

The Senate took up for consideration the unfinished report of the Committee on Courts of Justice, being a bill, entitled

A bill to create a Common Pleas Court for Marion county.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a court of justice, to be known as as the Marion Common Pleas Court, is hereby established in the county of Marion.

§ 2. The first election of a judge of said court shall be held on the first Monday in May, 1886, and afterwards on the first Monday in August, 1892, and on the first Monday in August every sixth year thereafter; and said elections shall be conducted as are elections for Judges of Circuit Courts. The judge elected shall enter upon the duties of his office as soon as he is commissioned and sworn.

§ 3. Sections 7 and 9, of article 10, of chapter 28, of the General Statutes, are hereby re-enacted and applied to the court hereby created, and the judge of said court in the same manner as the same were made applicable by the said sections to the courts provided for in said sections. The Civil Code of Practice of this Commonwealth shall regulate and govern all actions and proceedings in the court herein created, in the same manner and to the same extent as in Circuit Courts.

§ 4. The judge of the court hereby created shall possess the same qualifications as a Judge of a Circuit Court. He shall receive as a salary the sum of $1,600; $800 of which shall be payable in the same manner as the salary of a Circuit Judge, and $800 shall be payable by the Marion County Court of Levy and Claims, and said court is hereby authorized and required to levy at their regular meeting of each year an ad valorem tax on the property of said county assessed for taxation a sum sufficient to raise said sum and the costs of collection.

§ 5. All the laws of this State in relation to the duties and responsibilities of master or special commissioners in Circuit Courts (and their duties and responsibilities) are hereby made applicable to the court created by this act. And the master commissioner of the Circuit Court shall be the master commissioner of the Common Pleas Court.

§ 6. The court hereby created shall have power to allow and certify to the Auditor all claims against the Treasury of the State connected with said court.

§ 7. All the provisions of the general law with regard to change of venue are hereby made applicable to said court.

§ 8. A vacancy in the office of judge of said court shall be filled as a vacancy in the office of Circuit Judge is directed by law to be filled.

§ 9. In case the judge be absent, or, if present, cannot properly preside, an election of a special judge shall be held in the manner prescribed by law for the election of a special judge in the Circuit Courts; and the law in relation to the compensation of a special judge in the Circuit Courts shall apply to said special judge.

§ 10. The judge of said court shall have the power to order a jury of eighteen men possessing the qualifications of jurors in the Circuit Courts of this Commonwealth, to be summoned whenever in his judgment the business of the said court demands it, and said jurors shall receive for their services $1 *per diem*, payable in the same manner as the jurors in Circuit Courts are directed to be paid.

§ 11. The regular terms of said court shall be held as follows, viz: On the fourth Monday in April and the fourth Monday in August, and continue as many juridical days as the business of the court may require, so as not to conflict with any regular term of the Marion Circuit Court. Said court shall have power to hold special terms for the trial of all causes within the jurisdiction of said court, to be called in the same manner as special terms of the Circuit Courts are required to be called; and it shall be the duty of the judge of said court to call a special term whenever the business of said court requires it.

§ 12. It shall be the duty of the Circuit Court in Marion county, at the close of the first term after the passage of this act, to transfer to the court hereby created one-half of the civil causes remaining undisposed of in said Circuit Court, and said causes shall be placed on the docket of said Common Pleas Court, and shall stand for trial as if originally brought therein.

§ 13. The clerk of the Marion Circuit Court shall be *ex officio* clerk of the Marion Common Pleas Court.

§ 14. This act shall take effect from its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Grundy proposed the following amendment to said bill, viz:

§ 1. Amend section 1 by adding thereto the words "for the term of two years."

§ 2. Amend section 2 by striking out after "1886," in the second line, the words "and afterwards on the first Monday in August, 1892, and on the first Monday in August every sixth year thereafter."

§ 3. Amend section 12 by adding to it the words "at the last term of court created by the act before it expires by operation of law, it shall be the duty of the judge of the court created by this act to make an order transferring all cases on his docket undisposed of to the docket of the Circuit Court of Marion county."

On motion of Mr. Grundy, a division of the question was ordered on the amendment proposed by him to said bill.

The question was then taken on the adoption of the first section of the amendment proposed by Mr. Grundy to said bill, and it was decided in the affirmative.

The question was then taken on the adoption of the second section of the amendment proposed by Mr. Grundy to said bill, and it was decided in the affirmative.

The question was then taken on the adoption of the third amendment proposed by Mr. Grundy to said bill, and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative for want of a constitutional majority.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	T. S. Grundy,	F. D. Rigney,
J. W. Bryan,	J. D. Harris,	D. H. Smith,
W. W. Bush,	R. G. Hays,	J. R. W. Smith,
W. M. Cravens,	S. E. Hill,	F. T. D. Wallace,
W. H. Frederick,	H. T. Kendall,	E. L. Worthington,
G. G. Gilbert,	W. F. Neat,	J. H. Wilson—18.

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	J. N. Price,
M. C. Alford,	John Feland,	J. T. Simon,
S. H. Boles,	J. W. Ogilvie,	W. H. Taulbee—10.
R. A. Burnett,		

So said bill was rejected.

Mr. Gilbert reported a bill, entitled

A bill to require banks and other institutions to pay State, county, precinct and municipal taxes on all of their real and personal property, and to require depositors in such institutions to pay taxes on their deposits, any privilege in any charter of any such corporations to the contrary notwithstanding.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Gilbert,

Ordered, That said bill be printed and referred to the Committee on the Judiciary.

The Senate took up for consideration an amendment proposed as a substitute by the House of Representatives to a resolution which originated in the Senate, entitled

Resolution calling for copies of all contracts made by Directors of the Penitentiary and lessees of the convict labor from May 3, 1880, to incoming of the present Governor.

And the question being taken on concurring in the adoption of said amendment as a substitute for said resolution, it was decided in the affirmative.

The Senate took up for consideration an amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Henderson Street Railway Company.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Harris reported a bill, entitled

A bill to repeal all laws providing for the election of Warden of the Penitentiary by the General Assembly, and providing for the compensation of the present Warden and the election of Wardens in future by the Commissioners of the Sinking Fund.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hays,

Ordered, That said bill be printed and referred to the Committee on the Penitentiary and House of Reform.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of the Glasgow Railroad Company,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, approved April 28, 1884, and entitled

"An act to amend an act to incorporate the Louisville, Harrodsburg and Virginia Railroad Company," approved March 9, 1868, and to change the name of said company to that of the Louisville Southern Railroad Company.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. J. R. W. Smith,

Ordered, That the further consideration of said bill be postponed and made the special order of the day for Tuesday next, the 9th inst., at 10:40 o'clock A. M.

Mr. Boles, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

A bill to amend title 8, chapter 4, of the Civil Code of Practice of Kentucky,

Asked to be discharged from the further consideration of the leave.

And the question being taken thereon, it was decided in the affirmative.

Mr. Feland moved to reconsider the vote by which the committee was discharged from the further consideration of said leave.

Which motion was simply entered.

Mr. Boles, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

A bill to amend section 32, of the Criminal Code of Practice,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Hays reported a bill, entitled

A bill establishing normal schools in this Commonwealth.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hays,

Ordered, That said bill be printed and referred to the Committee on Education.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wallace, from the Committee on General Statutes—

A bill to repeal an act, entitled "An act to regulate advertising in Lawrence county, and compensation for the same."

By same—

A bill to amend an act, entitled "An act to further regulate the traffic in spirituous, vinous and malt liquors and nostrums as a beverage," approved May 5, 1880.

By same—

A bill for the benefit of Alexander A. Lowe, of Boyd county.

By Mr. Boles, from the Committee on Codes of Practice—

A bill to amend section 534, title 13, chapter 2, Civil Code.

By same—

A bill to amend subsection 3, of section 203, Civil Code of Practice.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the House of Representatives, of the following title, viz:

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester;"

And an enrolled bill which originated in the Senate of the following title, viz:

An act to amend the charter of the Short Route Railway Transfer Company;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of

Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. D. H. Smith, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill prohibiting the sale of certain deadly weapons within this State,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any person who shall sell a pistol, bowie knife, dirk knife, Colt's brass knucks, or slung shot, shall, upon indictment and conviction thereof, be fined not less than twenty-five nor more than one hundred dollars, or imprisoned in the county jail for not less than ten nor more than thirty days, or both so fined and imprisoned at the discretion of the jury or court trying the case.

§ 2. This act shall be given in charge to the grand juries by the circuit and criminal judges at their respective courts.

§ 3. This act shall take effect from and after the first day of April, 1886.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Simon moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the negative.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Worthington, from the Committee on the Judiciary—

An act to enable James L. Moss, Clerk of the Hickman

County Court, to qualify and act as guardian for Wm. R. and Charles W. Moss.

By Mr. Feland, from the same committee—

An act for the benefit of W. J. Sullinger, Jr., of Ballard county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Alford—

1. A bill to amend the charter of the city of Lexington.

On motion of Mr. J. R. W. Smith—

2. A bill to amend the charter of the Louisville City Railway Company.

On motion of same—

3. A bill to amend the charter of the Jefferson Railway Company.

On motion of Mr. Worthington—

4. A bill to change the boundaries of the town of Chester, in Mason county.

On motion of Mr. Hill—

5. A bill requiring all persons running a steam engine in this Commonwealth to obtain a certificate from a Board of Examiners.

On motion of Mr. Harris—

6. A bill, entitled "An act to repeal all laws providing for the election of Warden of the Penitentiary by the General Assembly, and providing for the compensation of the present Warden, and the election of Wardens in the future by the Commissioners of the Sinking Fund."

On motion of Mr. Hays—

7. A bill establishing normal schools in this Commonwealth.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st; the Committee on the Judiciary the 2nd; the Committee on Railroads the 3rd; the Committee on Propo-

sitions and Grievances the 4th and 5th; the Committee on Penitentiary and House of Reform the 6th, and the Committee on Education the 7th.

On motion of Mr. Taulbee, the Senate then adjourned.

FRIDAY, FEBRUARY 5, 1886.

The Journal of yesterday was read and approved.

Mr. Neat read and laid on the table the following joint resolution, viz:

WHEREAS, Grave and serious charges are being made through the public press of this State against Hon. Thomas J. Henry, Clerk of the Court of Appeals, to the effect that he is guilty of conduct unbecoming an officer, and has virtually vacated and farmed out his office; therefore, that justice may be done Mr. Henry, and that the people of the State may know (as they have a right to know) whether said charges are true or false, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of two Senators and three Representatives be appointed by the Speaker of each House respectively, who shall have the right to summon and examine witnesses, the summons to be executed by any officer of this State to whom directed, and having power to execute same, and report to this Assembly as early as practicable as to said charges; and, if true, what steps should be taken in the matter by this General Assembly.

Which, under the rule, lies one day on the table.

The Senate took up for consideration the report of the committee of conference, appointed by the two Houses, to take into consideration the disagreement of the two Houses in regard to an amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend and continue in force the charter of the Breckinridge Bank, at Cloverport, in Breckinridge county.

[*For report, see Senate Journal of February 2, 1886.*]

The question pending being on the adoption of said report.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers,	R. G. Hays,	J. R. W. Smith,
W. M. Cravens,	S. E. Hill,	W. H. Taulbee,
W. H. Frederick,	J. H. McDanell,	R. S. Triplett,
T. S. Grundy,	W. F. Neat,	F. T. D. Wallace.
J. D. Harris,	D. H. Smith,	J. H. Wilson—15.

Those who voted in the negative, were—

R. T. Albritton,	C. M. Clay, Jr.,	L. W. McKee,
M. C. Alford,	F. M. Clement,	J. N. Price,
S. H. Boles,	John Feland,	F. D. Rigney,
J. W. Bryan,	G. G. Gilbert,	E. L. Worthington,
R. A. Burnett,	H. T. Kendall,	J. T. Simon—17.
W. W. Bush,	L. M. Martin,	

Mr. Bush, from the Committee on Charitable Institutions, to whom had been referred the nomination by the Governor of Henry K. Pusey, M. D., to be Medical Superintendent of the Central Kentucky Lunatic Asylum, reported the same with the expression of opinion that said nomination should be advised and consented to.

Ordered, That said nomination be advised and consented to.

Mr. Bush, from the Committee on Charitable Institutions, to whom had been referred the nomination by the Governor of James Rodman, M. D., to be Medical Superintendent of the Western Kentucky Lunatic Asylum, reported the same with the expression of opinion that said nomination should be advised and consented to.

Ordered, That said nomination be advised and consented to.

Mr. Bush, from the Committee on Charitable Institutions, to

whom had been referred the nominations by the Governor of the Hons. S. E. Trice, S. G. Buckner and B. E. Randolph, to be Commissioners of the Western Kentucky Lunatic Asylum, reported the same with the expression of opinion that said nominations should be advised and consented to.

Ordered, That said nominations be advised and consented to.

The Senate, according to order, took up for consideration a bill, entitled

A bill for the maintenance and burial of pauper idiots.

Mr. Frederick proposed an amendment to said bill.

Mr. Alford proposed an amendment to said bill.

Mr. Hill proposed an amendment to said bill, as a substitute therefor.

Mr. Wilson moved to recommit said bill and proposed amendments to the Committee on Courts of Justice.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McKee and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	T. S. Grundy,	J. W. Ogilvie,
S. H Boles,	J. D. Harris,	J. N. Price,
R. A. Burnett,	R. G. Hays,	F. D. Rigney,
A. R. Byers,	S. E. Hill,	D. H. Smith,
F. M. Clement,	H. T. Kendall,	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	F. T. D. Wallace,
W. H. Frederick,	W. F. Neat,	J. H. Wilson—21.

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	J. T. Simon,
A. S. Berry,	G. G. Gilbert,	J. R. W. Smith,
J. W. Bryan,	L. M. Martin,	E. L. Worthington,
W. W. Bush,	L. W. McKee,	R. S. Triplett—12.

Mr. Neat, from the Committee on Enrollments, reported that the Committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act establishing a new voting precinct in Oldham county, to be known as Centerfield precinct;

An act to regulate the time for holding the Bullitt County Court;

And enrolled resolutions which originated in the Senate, of the following titles, viz;

Resolution raising a committee to consider the propriety and expediency of redistricting the State into judicial districts:

Resolution raising a committee to examine and report on branch Penitentiary, at Eddyville;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate took up for consideration an amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend the charter of the public schools of Owensboro.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration a bill, entitled

A bill to incorporate the International Hereford Association of Kentucky.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration an amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act for the benefit of common school district No. 3, Boyd county.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration a bill, entitled

A bill providing for the recording of orders of attachment in certain cases.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter it shall be the duty of the clerk of each court in this Commonwealth, having original jurisdiction over real estate, to record in a well-bound book, to be kept by him for that purpose, all orders of attachment issued from his office, together with any endorsement and officer's return thereon, whenever the same are returned to his office, levied upon any real estate or any interest therein, and shall index and cross index said book with the names of the plaintiff and defendant whose property is affected by such order of attachment and levy, and should such order of attachment be levied upon any real estate or any interest therein in any other county than that from which it was issued, the officer levying said order of attachment shall return same to the Clerk of the Circuit Court of his county, who shall record the same in his office as required in the preceding part of this section, and after recording same such clerk shall deliver said order of attachment back to the said officer, who shall return the same to the office of the court whence it issued.

§ 2. That whenever the said orders of attachment are satisfied or discharged, the clerk shall enter in the said book in the blank space left for that purpose the satisfaction or discharge of same.

§ 3. That for the services rendered under this act the clerk shall have a fee of sixty cents to be taxed and collected as other fees in the action.

§ 4. This act shall take effect from its passage.

Mr. Simon moved to lay said bill and proposed amendment thereto on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Burnett and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	J. R. W. Smith,
W. M. Cravens,	L. M. Martin,	E. L. Worthington,
John Feland,	J. N. Price,	J. T. Simon—9.

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	F. D. Rigney,
S. H. Boles,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	J. D. Harris,	W. H. Taulbee,

R. A. Burnett, S. E. Hill, R. S. Triplett,
W. W. Bush, J. H. McDanell, F. T. D. Wallace,
F. M. Clement, W. F. Neat, J. H. Wilson—20.
Henry Dixon, J. W. Ogilvie,

Mr. Simon had heretofore proposed an amendment to said bill, exempting the counties of "Bracken, Pendleton and Grant from the provisions thereof."

And the question being taken thereon, it was decided in the negative.

Mr. Martin moved to postpone the further consideration of said bill indefinitely.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burnett and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton, W. H. Frederick, J. W. Ogilvie,
A. S. Berry, R. G. Hays, J. N. Price,
S. H. Boles, S. E. Hill, J. T. Simon,
A. R. Byers, H. T. Kendall, J. R. W. Smith,
W. M. Cravens, L. M. Martin, W. H. Taulbee,
Henry Dixon, J. H. McDanell, E. L. Worthington,
John Feland, W. F. Neat, R. S. Triplett—21.

Those who voted in the negative, were—

M. C. Alford, F. M. Clement, D. H. Smith,
J. W. Bryan, G. G. Gilbert, F. T. D. Wallace,
R. A. Burnett, L. W. McKee, J. H. Wilson—11.
W. W. Bush, F. D. Rigney,

So said bill was rejected.

Mr. Dixon, from the Committee on Propositions and Grievances, to whom was referred leave to bring in bills of the following titles, viz:

A bill for the benefit of J. C. Smock, of Mercer county.

A bill allowing the Lieutenant-Governor mileage.

Reported the same with an expression of opinion that said bills ought to pass.

Which bills were read the first time and ordered to be read a second time.

Mr. Boles objected to the further reading of said bills on this day, so the same fell in the orders of the day.

Mr. Alford moved to reconsider the vote by which the Senate had rejected a bill, entitled

A bill to create a Common Pleas Court for Marion county.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	F. D. Rigney,
A. S. Berry,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	J. D. Harris,	R. S. Triplett,
W. W. Bush,	R. G. Hays,	F. T. D. Wallace,
A. R. Byers,	S. E. Hill,	J. H. Wilson,
W. M. Cravens,	H. T. Kendall,	E. L. Worthington,
Henry Dixon,	J. H. McDanell,	W. F. Neat—23.
W. H. Frederick,	L. W. McKee,	

Those who voted in the negative, were—

R. T. Albritton,	John Feland,	J. N. Price,
S. H. Boles,	L. M. Martin,	J. T. Simon,
R. A. Burnett,	J. W. Ogilvie,	W. H. Taulbee—10.
F. M. Clement,		

[*For bill, see Senate Journal of yesterday.*]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	W. F. Neat,
A. S. Berry,	T. S. Grundy,	F. D. Rigney,
J. W. Bryan,	J. D. Harris,	D. H. Smith,
W. W. Bush,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	S. E. Hill,	R. S. Triplett,
W. M. Cravens,	H. T. Kendall,	F. T. D. Wallace,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	L. W. McKee,	J. H. Wilson—24.

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	J. N. Price,
S. H. Boles,	John Feland,	J. T. Simon,
R. A. Burnett,	L. M. Martin,	W. H. Taulbee—9.

Resolved, That the title of said bill be as aforesaid.

Mr. D. H. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Bryan moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Berry moved the following resolution, viz:

Resolved, That the number of pages for this session be fixed at five, and the compensation at two dollars per day.

Mr. Boles moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boles and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	F. D. Rigney,
S. H. Boles,	H. T. Kendall,	J. T. Simon,
R. A. Burnett,	L. M. Martin,	W. H. Taulbee,
F. M. Clement,	W. F. Neat,	J. H. Wilson—13.
Henry Dixon,		

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	J. N. Price,
A. S. Berry,	J. D. Harris,	J. R. W. Smith,
J. W. Bryan,	R. G. Hays,	F. T. D. Wallace,
W. W. Bush,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	L. W. McKee,	D. H. Smith—15.

Mr. Wilson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Hill moved that said resolution be referred to the Committee on Retrenchment and Reform.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Alford, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	F. D. Rigney,
S. H. Boles,	S. E. Hill,	J. T. Simon,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
W. W. Bush,	L. M. Martin,	R. S. Triplett,
F. M. Clement,	W. F. Neat,	J. H. Wilson—16.
Henry Dixon,		

Those who voted in the negative, were—

M. C. Alford,	J. D. Harris,	J. R. W. Smith,
A. S. Berry,	R. G. Hays,	F. T. D. Wallace,
J. W. Bryan,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	L. W. McKee,	D. H. Smith—14.
T. S. Grundy,	J. N. Price,	

Mr. Berry moved that T. E. Flannelly be allowed to continue as a page of the Senate until the Committee on Retrenchment and Reform report on the resolution offered by Mr. Berry, providing for the employment of five pages and their pay at two dollars per day.

And the question being taken thereon, it was decided in the affirmative.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Berry from the Committee on Education—

A bill to confirm and legalize an election held March 16, 1885, in school district No. 19, in Fleming county.

By same—

A bill conferring certain powers on the trustees of school district No. 16, in Campbell county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed, and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills:

On motion of Mr. Wilson—

1. A bill for the benefit of W. F. Watkins, of Whitley county.

On motion of same—

2. A bill to amend section 48, article 1, chapter 2, of the Civil Code of Practice.

On motion of Mr. Clement—

3. A bill to amend an act to regulate the mode of returning and the collection of the delinquent and insolvent taxes of Crittenden county, approved April 30, 1884.

On motion of Mr. Worthington—

4. A bill to incorporate the Limestone Building Association of Maysville.

On motion of Mr. Martin—

5. A bill to amend the law with reference to injuries to persons or property.

On motion of Mr. Hill—

6. A bill to increase the civil jurisdiction of the Morgantown Police Court.

On motion of Mr. Taulbee—

7. A bill to amend chapter 94, of General Statutes, title "Roads and Passways."

On motion of Mr. Dixon—

8. A bill to amend the charter of St. Paul's Church, in Henderson.

Ordered, That the Committee on Finance prepare and bring in the 1st; the Committee on Codes of Practice the 2d; the Committee on General Statutes the 3d; the Committee on Banks and Insurance the 4th; the Committee on the Judiciary the 5th; the Committee on Courts of Justice the 6th and 7th, and the Committee on Religion and Morals the 8th.

On motion of Mr. Rigney the Senate then adjourned.

SATURDAY, FEBRUARY 6, 1886.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to change the time of holding the Pendleton Quarterly Court.

An act to strike out and repeal part of an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved March 11, 1873;

An act to amend the charter of the Short Route Railway Transfer Company.

Mr. Rigney moved the following resolution, viz:

Resolved, That on and after February 9, 1886, the Senate will meet at 10 o'clock A. M., and adjourn at 1 o'clock P. M.

Mr. Burnett moved to amend by striking out 1 o'clock and inserting 2 o'clock, except on Mondays.

Mr. Martin moved to lay said resolution and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rigney and Price, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	G. G. Gilbert,	J. H. McDanell,
M. C. Alford,	T. S. Grundy,	L. W. McKee,
J. W. Bryan,	J. D. Harris,	J. W. Ogilvie,
W. W. Bush,	H. T. Kendall,	J. N. Price,
Henry Dixon,	L. M. Martin,	F. T. D. Wallace—16.
John Feland,		

Those who in the negative, were—

A. S. Berry,	W. H. Frederick,	D. H. Smith,
S. H. Boles,	R. G. Hays,	J. R. W. Smith,
R. A. Burnett,	S. E. Hill,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
C. M. Clay, Jr.,	F. D. Rigney,	E. L. Worthington,
F. M. Clement,	J. T. Simon,	J. H. Wilson—19.
W. M. Cravens,		

The question was then taken on Mr. Burnett's motion to strike out 1 o'clock and insert 2 o'clock, except on Mondays, and it was decided in the negative.

Mr. Worthington moved to amend said resolution by striking out 10 o'clock therein and inserting 10:30 o'clock.

And the question being taken thereon it was decided in the affirmative.

Mr. D. H. Smith moved to postpone the further consideration of said resolution indefinitely.

And the question being taken thereon it was decided in the affirmative.

Mr. Ogilvie, from the Committee on Religion and Morals, to whom was recommitted a bill, entitled

An act to prevent the playing of base-ball on the Sabbath day,

Reported the same without amendment.

[*For bill, see Senate Journal, January 22d.*]

Mr. J. R. W. Smith moved to amend said bill by adding to section 4 thereof the following, viz:

The provisions of this act shall not apply to the county of Jefferson.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Cravens, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	Henry Dixon,	J. N. Price,
A. S. Berry,	W. H. Frederick,	J. T. Simon,
S. H. Boles,	T. S. Grundy,	J. R. W. Smith,
J. W. Bryan,	J. D. Harris,	R. S. Triplett,
W. W. Bush,	R. G. Hays,	E. L. Worthington,
C. M. Clay, Jr.,	L. M. Martin,	L. W. McKee—19.
W. M. Cravens,		

Those who voted in the negative, were—

R. T. Albritton,	S. E. Hill,	F. D. Rigney,
R. A. Burnett,	H. T. Kendall,	D. H. Smith,
A. R. Byers,	J. H. McDanell,	W. H. Taulbee,
F. M. Clement,	W. F. Neat,	F. T. D. Wallace,
John Feland,	J. W. Ogilvie,	J. H. Wilson—16.
G. G. Gilbert,		

Mr. Berry moved to amend said bill by striking out "twenty dollars" and inserting "one dollar," and striking out "one hundred dollars," and inserting "five dollars."

And the question being taken thereon, it was decided in the negative.

Mr. Hill moved to amend said bill as follows, viz:

Amend by adding to section 4, the following: "*Provided however*, that this act shall only apply to match games of base-ball played by professional teams, or games where gate fees for admission are charged and collected, or games on which money or property or other thing of value is bet, won or lost on the result of the game."

And the question being taken thereon, it was decided in the affimative.

Mr. Wallace moved to amend said bill as follows, viz:

Amend section 1 in sixth and seventh lines by striking out "twenty-five dollars" and "one hundred dollars," and inserting "five dollars" and "fifty dollars."

And the question being taken thereon, it was decided in the affirmative.

Mr. Bush moved to reconsider the vote by which the Senate adopted the amendment proposed by Mr. J. R. W. Smith to said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Neat, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	Henry Dixon,	J. N. Price,
A. S. Berry,	W. H. Frederick,	J. T. Simon,
S. H. Boles,	T. S. Grundy,	J. R. W. Smith,
J. W. Bryan,	J. D. Harris,	R. S. Triplett,
C. M. Clay, Jr.,	R. G. Hays,	E. L. Worthington,
W. M. Cravens,	L. M. Martin,	L. W. McKee—18.

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	D. H. Smith,
W. W. Bush,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	J. H. McDanell,	F. T. D. Wallace,
F. M. Clement,	W. F. Neat,	J. H. Wilson—17.
John Feland,	J. W. Ogilvie,	

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter it shall not be lawful for any person to play at, or be engaged in playing at the game commonly called base-ball, on the Sabbath day; and whoever shall play at, or be engaged in playing at the game commonly called base-ball, on the Sabbath day, shall be fined not less than $5 nor more than $50.

§ 2. That the penalty for a violation of this act may be enforced either by indictment in the Circuit or Criminal Courts of this Commonwealth, or by warrant before any Judge or Justice of the Peace or City or Police Judge in this Commonwealth.

§ 3. That it shall be the duty of all ministerial officers in this State to apprehend all persons who are guilty, within their knowledge, of a violation of this act, and take them before any of the officers named in the second section of this act, who shall proceed to deal with them according to law.

§ 4. That if any officer shall knowingly and willfully fail or refuse to discharge the duties imposed and required of him under this act, he shall be fined not less than $50 nor more than $200, to be recovered on an indictment by a grand jury, or upon a warrant before any of the officers named in the second section of this act: *Provided, however*, That this act shall only apply to match games of base-ball played by professional teams, or games where gate fees for admission are charged and collected, or games on which money or property or other thing of value is bet, won or lost, on the result of the game.

§ 5. The provisions of this act shall not apply to the county of Jefferson.

§ 6. This act shall be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,
M. C. Alford,
A. S. Berry,
J. W. Bryan,
R. A. Burnett,
W. W. Bush,
A. R. Byers,
C. M. Clay, Jr.,
F. M. Clement,
W. M. Cravens,
W. H. Frederick,
G. G. Gilbert,
T. S. Grundy,
J. D. Harris,
S. E. Hill,
H. T. Kendall,
L. M. Martin,
J. H. McDanell,
L. W. McKee,
J. W. Ogilvie,
J. N. Price,
F. D. Rigney,
J. T. Simon,
W. H. Taulbee,
F. T. D. Wallace,
J. H. Wilson,
E. L. Worthington,
W. F. Neat—28.

Those who voted in the negative, were—

Henry Dixon,
R. G. Hays,
D. H. Smith,
J. R. W. Smith,
R. S. Triplett—5.

Resolved, That the title of said bill be as aforesaid.

The Speaker, under a joint resolution heretofore adopted, appointed Messrs. Harris and McDanell a committee on the part of the Senate to visit the branch Penitentiary at Eddyville.

A message was received from the House of Representatives asking the appointment of a committee by the Senate to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the Senate, entitled

An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth, bordering on Green and Barren rivers, for certain purposes, etc.;

Which was granted.

Whereupon, the Speaker appointed Mr. Triplett said committee.

After a short time, Mr. Triplett reported that he had performed that duty, and handed said bill in at the Clerk's desk.

Mr. Neat, from the Committee on Enrollments, reported that the Committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of W. J. Sullinger, Jr., of Ballard county;

An act to enable James L. Moss, Clerk of the Hickman County Court, to qualify as guardian for Wm. R. and Charles W. Moss;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Rigney presented the petition of sundry citizens of the town of Stanford, praying the passage of an act authorizing the Common Council of said town to issue bonds for certain purposes.

Which were received, the reading dispensed with, and referred to the Committee on Finance.

The Senate took up for consideration a bill, entitled

A bill for the benefit of J. C. Smock, of Mercer county.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz:

WHEREAS, J. C. Smock, Deputy Sheriff of Mercer county, was, June 20, 1885, named as agent in a requisition issued by the Governor of Kentucky upon the governor of Texas for the person of J. B. Davidson, indicted for felony in the Mercer Circuit Court, and a fugitive from justice in the State of Texas; that said Smock, as such agent, paid the Secretary of State of Kentucky the sum of nine dollars as fees for requisition; that he paid the Secretary of State of Texas the sum of four dollars for warrant of arrest; that he arrested said Davidson, and while *en route* with the prisoner, Davidson, a writ of *habeas corpus* was served upon him, issued by the proper authorities of Abilene, Texas, to show cause why he detained said prisoner, Davidson; that upon a trial he hired counsel, and paid officer's fees to the amount of fifty dollars; that he was successful in his resistance of said action, but the governor of Texas revoked his order and he was compelled to return without the fugitive, Davidson; that his expenses were $2 per day for 33 days, amounting to $66; that he is justly entitled to $195 as mileage for traveling 3,250 miles at six cents per mile; that the aggregate amount of his expenditures, mileage and compensation is $324; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be directed to draw his warrant upon the Treasurer of the State for the sum of $324 in favor of J. C. Smock.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	J. W. Ogilvie,
S. H. Boles,	T. S. Grundy,	J. N. Price,
J. W. Bryan,	J. D. Harris,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	D. H. Smith,

W. W. Bush, H. T. Kendall, J. R. W. Smith,
A. R. Byers, L. M. Martin, W. H. Taulbee,
C. M. Clay, Jr., J. H. McDanell, F. T. D. Wallace,
Henry Dixon, L. W. McKee, E. L. Worthington,
John Feland, W. F. Neat, J. H. Wilson—28.
W. H. Frederick,

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Boles moved to reconsider the vote by which the Senate had passed said bill.

Mr. Alford moved that said motion be taken up and disposed of.

And the question being taken thereon, it was decided in the negative.

So said motion was simply entered.

The Senate took up for consideration a bill, entitled

A bill allowing the Lieutenant-Governor mileage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Lieutenant-Governor be, and is hereby, allowed the same rate of mileage as is now fixed by law for the members of the General Assembly, for his necessary traveling expenses, while on his way to and from the meetings of the General Assembly, and while on his way to and from the seat of government, whenever called to perform the duties of Governor of this Commonwealth.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, G. G. Gilbert, J. W. Ogilvie,
A. S. Berry, T. S. Grundy, J. N. Price,
J. W. Bryan, J. D. Harris, F. D. Rigney,
W. W. Bush, S. E. Hill, D. H. Smith,
A. R. Byers, H. T. Kendall, J. R. W. Smith,

C. M. Clay, Jr., L. M. Martin, W. H. Taulbee,
F. M. Clement, J. H. McDanell, F. T. D. Wallace,
Henry Dixon, L. W. McKee, E. L. Worthington,
W. H. Frederick, W. F. Neat, J. H. Wilson—27.

Those who voted in the negative, were—

S. H. Boles, John Feland, J. T. Simon—4.
R. A. Burnett,

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a joint resolution, entitled

Resolution to inquire into and examine the charges made against the Hon. Thomas J. Henry, Clerk of the Court of Appeals.

[*For resolution, see Senate Journal of yesterday.*]

Mr. Clay moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Neat and Feland, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, G. G. Gilbert, L. W. McKee,
A. S. Berry, T. S. Grundy, J. N. Price,
J. W. Bryan, J. D. Harris, J. T. Simon,
C. M. Clay, Jr., S. E. Hill, J. R. W. Smith,
W. M. Cravens, H. T. Kendall, E. L. Worthington,
Henry Dixon, L. M. Martin, W. H. Taulbee—20.
W. H. Frederick, J. H. McDanell,

Those who voted in the negative, were—

S. H. Boles, F. M. Clement, F. D. Rigney,
R. A. Burnett, John Feland, D. H. Smith,
W. W. Bush, W. F. Neat, F. T. D. Wallace,
A. R. Byers, J. W. Ogilvie, J. H. Wilson—12.

So said resolution was rejected.

Mr. Simon read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators and Representatives in the Federal Congress be, and they are hereby, requested to use their influence in securing an appropriation from the Federal Government for the purpose of locking and damming the Licking river in Kentucky.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill to incorporate the Women's Educational and Industrial Union, of Covington, Kentucky.

By Mr. Taulbee, from the Committee on Federal Relations—

A bill to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth, bordering on Licking river.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Washington County Railroad District, and to define the powers, duties and privileges of the same," approved March 12, 1884.

By same—

A bill to amend the charter of the Louisville City Railway Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to empower the trustees of Republican Church, near Nebo, in Hopkins county, to sell the said church property and re-invest the proceeds in a new house of worship.

By Mr. Bush, from the Committee on Charitable Institutions—

An act to incorporate the Christian Church Widows' and Orphans' Home of Kentucky.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills:

On motion of Mr. Martin—

1. A bill for the benefit of W. A. Stewart, of Harrison county.

On motion of Mr. McKee—

2. A bill creating a Board of Charitable Commissioners for the State of Kentucky.

On motion of Mr. Clement—

3. A bill to amend the charter of the Marion School Association, in Crittenden county.

On motion of Mr. Simon—

4. A bill to repeal an act to amend section 6, article 13, chapter 38, of the General Statutes, approved April 22, 1884.

On motion of Mr. Byers—

5. A bill for the benefit of J. H. Wells, of Breckinridge county.

On motion of Mr. Triplett—

6. A bill for the benefit of Park Haynes and other persons of Daviess county.

On motion of Mr. Triplett—

7. A bill to incorporate the Vaughan Female Academy, of Owensboro, Ky.

Ordered, That the Committee on Claims prepare and bring in the 1st and 5th; the Committee on Courts of Justice the 2d; the Committee on Education the 3d, 6th and 7th, and the Committee on General Statutes the 4th.

On motion of Mr. D. H. Smith, the Senate then adjourned until Monday at 11 o'clock A. M.

MONDAY, FEBRUARY 8, 1886.

The Journal of Saturday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed an enrolled bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester."

That they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to grant the consent of the State of Kentucky to the acquisition of certain lands in the State of Kentucky, etc.," approved January 24, 1880.

That they had passed a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," passed April 4, 1884,

With an amendment thereto.

Which was taken up and concurred in.

That they had passed a bill, entitled

An act to amend section 3, of article 2, chapter 61, General Statutes.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on General Statutes.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 8, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent, will appoint the following named persons as notaries public for the limits hereinafter designated:

A. C. Rucker, Jefferson county.
James J. Shelley, Jefferson county.
A. G. Langham, Jefferson county.
James T. A. Baker, Jefferson county.
Charles H. Stoll, Fayette county.
A. Lee Barrett, Martin county.
J. T. Allen, Kenton county.
Louis G. Crawford, Jefferson county.
D. H. Hughes, Union county.
John E. Duboise, Warren county.
John H. Mason, Boyd county.
J. S. Withers, Harrison county.
Edward H. Caldwell, Jefferson county.
Eugene M. Terry, Jefferson county.
Samuel R. Ireland, Boyd county.
L. T. Everett, Boyd county.

I am, very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Triplett moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth bordering on Green and Barren rivers, for certain purposes, etc.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the third reading of said bill, as also the vote ordering it to a third reading, be reconsidered.

Mr. Triplett moved an amendment to said bill.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. Bryan was appointed a committee to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the Senate, entitled

An act prohibiting the sale of certain deadly weapons within this State.

After a short time Mr. Bryan reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

On motion of Mr. Albritton, leave of absence indefinitely was granted Messrs. Feland, Neat, Rigney and McKee.

Mr. Price, from the Committee on Claims, to whom was recommitted a bill, entitled

A bill for the benefit of Emily F. Dean, of Magoffin county,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, On the twenty-sixth day of August, 1878, one house and lot, the property of Thomas H. Dean, surety of John M. Pence, Sheriff of Magoffin county, was sold for $100 under *fi-fa*, in favor of the Commonwealth against said John M. Pence, etc; the right of redemption to said property expired, and on the fourth day of September, 1881, the Auditor's agent sold the same at the court-house door in Salyersville, Kentucky, when Emily F. Dean, wife of Thomas H. Dean, purchased the same, and has paid into the Treasury therefor the sum of $252, being upwards of $100 more than said property cost the State; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer in favor of Emily F. Dean for $90, payable out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taulbee and Boles, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan, R. A. Burnett, C. M. Clay, Jr., F. M. Clement, Henry Dixon, W. H. Frederick, T. S. Grundy, J. D. Harris, S. E. Hill, H. T. Kendall, L. M. Martin, J. H. McDanell, J. W. Ogilvie, W. H. Taulbee, R. S. Triplett, F. T. D. Wallace, J. H. Wilson, E. L. Worthington, J. N. Price—19.

Those who voted in the negative, were—

R. T. Albritton, S. H. Boles, A. R. Byers, J. T. Simon—4.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act to keep persons sentenced to imprisonment in the county jail in Muhlenburg county at labor.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to incorporate the Farmers' Fire Insurance Company of America.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bill, the last-named, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Hill, from the Committee on Courts of Justice—

A bill to increase the civil jurisdiction of the Police Court of Morgantown.

By same—

A bill to incorporate the town of Fordsville, in Ohio county.

By Mr. Burnett, from the Committee on General Statutes—

A bill to amend an act, entitled "An act to regulate the mode of returning and the collection of the delinquent and insolvent taxes of Crittenden county," approved April 30, 1884.

By Mr. Dixon, from the Committee on Propositions and Grievances—

A bill to change the boundaries of the town of Chester, in Mason county.

By Mr. Harris, from the Committee on Internal Improvements—

A bill to amend the charter of the Frankfort and Flat Creek Turnpike Road Company, approved February 16, 1869.

By same—

A bill to authorize the consolidation of the Centreville and Jacksonville and the Broadwell and Silas Creek Turnpike Companies.

By same—

A bill to repeal an act to authorize the Court of Claims of Bourbon county to appoint a turnpike commissioner, approved March 19, 1878.

By Mr. Burnett, from the Committee on General Statutes—

A bill to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors in Springdale precinct, of Jefferson county," approved April 15, 1884.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the last-named bill be placed in the orders of the day, and that each of the others be severally engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wilson—

1. A bill to regulate the carrying of pistols in this State.

On motion of Mr. Albritton—

2. A bill to amend the county road laws of the State.

On motion of Mr. Simon—

3. A bill to amend section 15, article 12, of chapter 33, General Statutes.

On motion of Mr. Burnett—

4. A bill for the benefit of the branch Penitentiary, at Eddyville.

On motion of Mr. Martin—

5. A bill to require all railroads in this Commonwealth to furnish sufficient storage room for the reception of freight goods to and from all stations in the Commonwealth.

On motion of Mr. Worthington—

6. A bill to amend article 3, chapter 62, General Statutes, entitled "Juries."

Ordered, That the Committee on General Statutes prepare and bring in the 1st and 3d; the Committee on Courts of Justice the 2d; the Committee on Penitentiary and House of Reform the 4th; the Committee on Railroads the 5th, and the Committee on the Judiciary the 6th.

On motion of Mr. Boles, the Senate adjourned.

TUESDAY, FEBRUARY 9, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives announcing that they had passed a bill which originated in the Senate, entitled

An act to amend the charter of the Citizens' Gas-light Company, of Louisville.

That they had passed a bill, entitled

An act to amend an act, entitled "An act to amend, digest and reduce into one, all the acts incorporating the city of Lexington," approved April 19, 1882.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. D. H. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Alford moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend an act, approved April 28, 1884, and entitled "An act to amend an act to incorporate the Louisville, Harrodsburg and Virginia Railroad Company," approved March 9, 1868, and to change the name of said company to that of the Louisville Southern Railroad Company.

Mr. J. R. W. Smith proposed an amendment as a substitute for said bill.

Mr. Clay proposed an amendment to said proposed substitute.

Mr. Wilson proposed an amendment to said bill.

Mr. Frederick moved that the further consideration of said bill and proposed amendments be postponed and made the special order of the day for Wednesday, the 17th inst., at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	T. S. Grundy,	J. N. Price,
S. H. Boles,	H. T. Kendall,	J. T. Simon,
A. R. Byers,	J. H. McDanell,	D. H. Smith,
W. J. Caudill,	L. W. McKee,	R. S. Triplett,
Henry Dixon,	J. W. Ogilvie,	J. H. Wilson—16.
W. H. Frederick,		

Those who voted in the negative, were—

J. W. Bryan,	G. G. Gilbert,	W. H. Taulbee,
R. A. Burnett,	S. E. Hill,	F. T. D. Wallace,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
F. M. Clement,	J. R. W. Smith,	E. R. Sparks—12.

Mr. Hays, from the Committee on Penitentiary and House of Reform, to whom was referred a bill, entitled

A bill to repeal all laws providing for the election of Warden of the Penitentiary by the General Assembly, and providing for the compensation of the present Warden and the election of Wardens in future by the Commissioners of the Sinking Fund.

Reported the same with the expression of opinion that said bill ought to pass.

Mr. Bryan proposed an amendment as a substitute for said bill.

On motion of Mr. Harris—

Ordered, That the further consideration of said bill and proposed substitute be postponed and made the special order of the day for Thursday next, the 11th inst., at 11 A. M., and from day to day until disposed of.

The Senate, according to order, took up for consideration a bill, entitled

An act to amend article 1, of chapter 47, entitled "Gaming," of General Statutes.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whoever, with or without compensation, shall set up, carry on or conduct, or shall aid and assist in setting up, carrying on or conducting a keno bank, faro bank or other machine or contrivance used in betting, whereby money or other thing may be won or lost; or, whoever shall for compensation, percentage or commission set up, conduct or carry on a game of cards whereby money or other thing may be won or lost; or shall, with or without compensation, percentage or com-

mission, aid and abet in setting up, conducting or carrying on a game so set up, carried on or conducted for compensation, percentage or commission, shall be fined $500 and costs and confined in the Penitentiary not less than one nor more than three years; shall be deemed infamous after conviction and be forever thereafter disqualified from exercising the right of suffrage and from holding any office of honor, trust or profit, whether it be State, county, city or municipal, and shall not be competent to testify in any case or proceeding, civil or criminal. The judgment of conviction in every case shall recite such infamy and disqualification, and shall not be valid without such recital. The provisions of this section shall not include nor be applicable to persons who play at such games, unless they take other part in setting up, conducting or carrying on such games.

§ 2. The change of the name of any of the games, tables, machines or contrivances included in this act, shall not prevent the conviction of any person violating the provisions thereof.

§ 3. An indictment for violating any of the provisions of sections 1 and 2 may charge the accused in one count with the commission of any or all of the offenses set forth in this act.

§ 4. Procedure in cases arising under this act shall be the same as prescribed by the Criminal Code of Practice in other cases of felony, except that in no case shall the bond for the appearance of the accused be for a less sum than $600.

§ 5. Prosecutions for violations of this act may be had within five years after the commission of the offenses, but not later.

§ 6. All acts and parts of acts in conflict with this act are hereby repealed.

§ 7. This act shall take effect from and after its passage.

Mr. Martin moved to amend said bill by striking out of section 1 the words, "and confined in the Penitentiary not less than one nor more than three years.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	L. M. Martin,	Robert Walker,
S. H. Boles,	L. W. McKee,	E. L. Worthington,
C. M. Clay, Jr.,	J. R. W. Smith,	R. S. Triplett—11.
R. G. Hays,	E. R. Sparks,	

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	J. W. Ogilvie,
J. W. Bryan,	W. H. Frederick,	J. N. Price,
R. A. Burnett,	T. S. Grundy,	J. T. Simon,
A. R. Byers,	J. D. Harris,	D. H. Smith,
W. J. Caudill,	S. E. Hill,	W. H. Taulbee,
F. M. Clement,	H. T. Kendall,	F. T. D. Wallace,
W. M. Cravens,	J. H. McDanell,	J. H. Wilson—21.

Mr. Simon moved to amend by striking out that portion of the bill which renders any one convicted under said act incompetent to testify either in civil or criminal cases.

And the question being taken thereon, it was decided in the negative.

Mr. Hays moved to amend said bill by striking out the words and figures "$600," and inserting in lieu thereof the words, "sufficient bail."

And the question being taken thereon, it was decided in the affirmative.

Mr. Berry moved to amend said bill as follows, viz:

The provisions of this act shall apply to all pool selling and games of chance on fair grounds and race-courses in this State.

Whereupon, the Speaker ruled said proposed amendment out of order.

Mr. Simon moved to reconsider the vote by which the Senate had refused to adopt the amendment proposed by him to said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

Mr. Clay moved to amend said bill as follows, viz:

Amend section 1 by striking out the words "five hundred dollars and costs and imprisoned in the Penitentiary not less than one nor more than three years," and inserting in lieu thereof "one thousand dollars and costs."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	L. M. Martin,	E. L. Worthington,
S. H. Boles,	J. R. W. Smith,	R. S. Triplett—8.
C. M. Clay, Jr.,	E. R. Sparks,	

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	L. W. McKee,
J. W. Bryan,	G. G. Gilbert,	J. W. Ogilvie,
R. A. Burnett,	T. S. Grundy,	J. N. Price,
A. R. Byers,	J. D. Harris,	J. T. Simon,
W. J. Caudill,	R. G. Hays,	D. H. Smith,
F. M. Clement,	S. E. Hill,	W. H. Taulbee,
W. M. Cravens,	H. T. Kendall,	F. T. D. Wallace,
Henry Dixon,	J. H. McDanell,	J. H. Wilson—24.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	J. W. Ogilvie,
J. W. Bryan,	T. S. Grundy,	J. N. Price,
R. A. Burnett,	J. D. Harris,	J. T. Simon,
A. R. Byers,	R. G. Hays,	D. H. Smith,
W. J. Caudill,	S. E. Hill,	E. R. Sparks,
F. M. Clement,	H. T. Kendall,	W. H. Taulbee,
W. M. Cravens,	L. M. Martin,	F. T. D. Wallace,
Henry Dixon,	J. H. McDanell,	J. H. Wilson—26.
W. H. Frederick,	L. W. McKee,	

Those who voted in the negative, were—

A. S. Berry,	C. M. Clay, Jr.,	E. L. Worthington,
S. H Boles,	J. R. W. Smith,	R. S. Triplett—6.

Resolved, That the title of said bill be as aforesaid.

Mr. D. H. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Gilbert moved to lay said motion on the table.

And the question being taken thereon it was decided in the affirmative.

Mr. Cravens presented the petition of sundry citizens of Henry county, praying the passage of an act prohibiting the manufacture and sale of spirituous, vinous and malt liquors within the Commonwealth, and to submit same to the legal voters of the State at the August election, 1886.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

The Speaker laid before the Senate a communication from the Louisville Board of Trade, protesting against the passage of an act incorporating the Economic Heating Company.

Ordered, That said communication be referred to the Committee on the Judiciary.

Mr. Sparks, who was absent when the vote was taken upon a resolution, entitled

Resolution to concur in the action of the Commissioners removing the Warden of the Penitentiary,

Asked to have his vote recorded in the affirmative on the adoption of said resolution.

Which was granted.

The Senate took up for consideration the motion heretofore entered by Mr. Boles, to reconsider the vote by which the Senate had passed a bill, entitled

An act for the benefit of J. C. Smock, of Mercer county.

And the question being taken thereon, it was decided in the negative.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill, entitled

A bill to require banks and other institutions to pay State, county, precinct and municipal taxes on all of their real and personal property, and to require depositors in such institutions to pay taxes on their deposits, any privilege in any charter of any such corporations to the contrary notwithstanding,

Reported the same without an expression of opinion.

By unanimous consent Mr. Gilbert, who introduced said bill, was permitted to withdraw same from the further consideration of the Senate.

Mr. Clay moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	T. S. Grundy,	L. W. McKee,
C. M. Clay, Jr.,	J. D. Harris,	J. W. Ogilvie,
W. H. Frederick,	R. G. Hays,	J. R. W. Smith—11.
G. G. Gilbert,	H. T. Kendall,	

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	W. H. Taulbee,
J. W. Bryan,	S. E. Hill,	R. S. Triplett,
R. A. Burnett,	L. M. Martin,	F. T. D. Wallace,
A. R. Byers,	J. H. McDanell,	J. H. Wilson,
W. J. Caudill,	J. N. Price,	E. L. Worthington,
F. M. Clement,	J. T. Simon,	D. H. Smith—18.

Mr. Hill, from the Committee on Courts of Justice, to whom was recommitted a bill, entitled

A bill in relation to blank books for use in the inferior courts and clerks' offices of this Commonwealth, and to provide for the payment of same,

Reported the same without amendment.

On motion of Mr. Hill,

Ordered, That the further consideration of said bill be postponed and made the special order of the day for Tuesday next, the 16th inst., at 11 o'clock A. M., and from day to day until disposed of.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Wallace—

1. A bill to authorize L. P. Davenport, late Marshal of Catlettsburg, in Boyd county, two years' further time to collect taxes and fee bills due him.

On motion of Mr. Wilson—

2. A bill to amend section 616, of the Civil Code of Practice.

On motion of same—

3. A bill to amend subsection 4, section 38, Civil Code.

On motion of Mr. Hill—

4. A bill to regulate the settlement of decedents' estates.

On motion of Mr. Kendall—

5. A bill for the benefit of James M. Lee, Sheriff of Hardin county.

On motion of Mr. Simon—

6. A bill to provide for and regulate punishment for wife beating.

On motion of Mr. Caudill—

7. A bill for the benefit of Robert Clark, Sheriff of Clay county.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 4th, 5th and 6th; the Committee on Codes of Practice the 2d and 3d, and the Committee on Propositions and Grievances the 7th.

Mr. Caudill, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to empower the trustees of Republican Church, near Nebo, in Hopkins county, to sell the said church property and re-invest the proceeds in a new house of worship;

An act to incorporate the Christian Church Widows' and Orphans' Home of Kentucky;

An act to amend an act, entitled "An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the State bordering on the navigable rivers thereof, for the purpose of constructing canals or of erecting thereon dams, abutments, locks, lock-keepers' dwellings, offices and all necessary structures for the construction and maintenance of slack water navigation on said rivers, and ceding jurisdiction over the same, and for imposing fines and penalties for willful injuries to the grounds, buildings and appurtenances acquired under the provisions of this act," approved January 24, 1880;

And enrolled bills and a resolution which originated in the Senate of the following titles, viz:

An act for the benefit of common school district No. 3, Boyd county;

An act to amend an act, entitled "An act to establish a high school in Dixon, Webster county," approved March 13, 1882;

An act to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," passed April 4, 1884;

An act to incorporate the Henderson Street Railway Company;

An act to incorporate the Kingston School Joint Stock Company;

An act to amend the charter of the public schools of Owensboro;

An act to establish a line between school district No. 26, Boyd county, and No. 80, Lawrence county;

Resolution calling for copies of all contracts made by Directors of the Penitentiary and lessees of the convict labor from May 3, 1880, to incoming of the present Governor;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Caudill reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 10, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act establishing a new voting precinct in Oldham county, to be known as Centerfield precinct.

An act to regulate the time for holding the Bullitt County Court.

An act to enable James L. Moss, Clerk of the Hickman County Court, to qualify and act as guardian for Wm. R. and Charles W. Moss.

That they had passed a bill which originated in the Senate, entitled

An act to create the Newport Fire and Police District, in Campbell county, and to provide for the government thereof.

That they had passed bills of the following titles, viz:

1. An act for the benefit of the Kentucky Institution for the Education of the Blind.

2. An act for the benefit of George W. Brown, of Louisville.

Which bills were read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Appropriations, and the 2d to the Committee on Claims.

Mr. Caudill, who was absent when the vote was taken upon a bill, entitled

An act to prevent the playing of base-ball on the Sabbath day,

Asked to have his vote recorded in the affirmative on the passage of said bill.

Which was granted.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill, entitled

A bill to regulate the sale of intoxicating liquors in this Commonwealth,

For the purpose of determining the constitutionality of said bill, as raised by section 30, of the Constitution, presented the following report, viz:

The Judiciary Committee, to whom was referred Senate bill No. 7, entitled "An act to regulate the sale of intoxicating liquors in this Commonwealth," to ascertain and report whether in their opinion said bill comes within the inhibition of article 2, section 30, of the Constitution of Kentucky, beg leave to say that a

majority of the committee are of the opinion that the said bill comes within the police provisions of the Constitution ; that it contemplates police regulation, carry therewith incidental revenue, and could, therefore, properly originate in the Senate.

The minority of the committee are of the opinion that the bill is a bill for revenue, and comes within the inhibition of the section of the Constitution named.

Inasmuch as all doubts of a constitutional nature should be taken against the bill, when the doubt goes only to the mode of enactment and not to the substance of the bill, we recommend that the bill be withdrawn from the Senate and sent to the House of Representatives for origination there.

L. M. MARTIN, *Chairman.*

And the question being taken on the adoption of said report, it was decided in the affirmative.

So said bill was withdrawn from the further consideration of the Senate.

On motion of Mr. D. H. Smith,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to incorporate the Farmers' Fire Insurance Company of America.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Burnett moved to reconsider the vote by which the Senate had directed the withdrawal from the House of Representatives of the announcement of the passage by the Senate of a bill which originated in the Senate, entitled

An act prohibiting the sale of certain deadly weapons within this State.

And the question being taken thereon, it was decided in the affirmative.

Mr. J. R. W. Smith, from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill, entitled

A bill to appropriate money to be applied to the procurement, by purchase or otherwise, of a permanent home for the friendless and fallen women of Kentucky.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. J. R. W. Smith,

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Friday next, the 12th inst., at 11 o'clock A. M., and from day to day until disposed of.

Mr. Berry moved the following resolution, viz:

Resolved, That two thousand copies of the speech of Dr. Simmons and other documents accompanying the same be printed.

Which was twice read and adopted.

Mr. Boles read and laid on the table the following joint resolution, entitled

Resolution to adjourn February 27, 1886, without day.

Which, under the rule, lies over one day.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend and continue in force chapter 1324, Session Acts of 1881–82, entitled "An act to establish a Superior Court and to regulate same."

The question pending being on the adoption of the substitute proposed by the committee for said bill.

Mr. Martin proposed an amendment as a substitute for said bill and proposed substitute.

Mr. Boles proposed an amendment to said bill.

Mr. Wilson moved that the further consideration of said bill and proposed amendments be postponed until Saturday, February 27th, at 12 o'clock M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	F. M. Clement,	J. N. Price,
R. A. Burnett,	John Feland,	D. H. Smith,
A. R. Byers,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	J. H. Wilson—12.

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	J. T. Simon,
A. S. Berry,	J. D. Harris,	E. R. Sparks,
J. W. Bryan,	S. E. Hill,	R. S. Triplett,
C. M. Clay, Jr.,	L. M. Martin,	F. T. D. Wallace,
W. M. Cravens,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	L. W. McKee,	J. W. Ogilvie—19.
G. G. Gilbert,		

Mr. Bryan moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday next, February 17th, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Simon moved to reconsider the vote by which the further consideration of said bill was postponed and said bill made the special order of the day for Wednesday, the 17th inst., and from day to day until disposed of.

And the question being taken thereon, it was decided in the negative.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act to incorporate the Paducah and Illinois Bridge Company, approved April 26, 1880,

Reported the same without amendment.

Mr. Ogilvie proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Grundy, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

A bill requiring all persons running a steam-engine in this Commonwealth to obtain a certificate of qualification from a board of examiners,

Asked to be discharged from the further consideration of the leave,

Which was granted.

Mr. Gilbert, from the Committee on Printing, to which was recommitted a bill, entitled

A bill to abolish the office of Public Printer and Binder, and to authorize the Governor, Auditor and Treasurer to advertise and let to the lowest and best bidder the printing and binding necessary and required by all the departments of the State Government at Frankfort,

Reported the same with an expression of opinion that said bill ought not to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the office of Public Printer and Binder be, and the same is hereby, abolished from and after the expiration of the term for which the present incumbent was elected.

§ 2. It shall be the duty of the Governor, Auditor of Public Accounts and Treasurer to advertise for sealed proposals for executing the public printing and binding, and let the same to the lowest and best bidder, who will supply said work for the lowest rate of compensation, upon the terms and in the manner hereinafter specified.

§ 3. All the printing and binding required by the contract shall be done and performed at the seat of Government in a neat, skillful and workmanlike manner, and without unnecessary delay.

§ 4. Between the first day of May and the first day of July next, after the passage of this act, and biennially thereafter, within the same period, the persons above named, to wit: The Governor and Auditor and Secretary of State of this Commonwealth, shall give notice for the period of thirty days in at least one newspaper published and circulated in Louisville, Lexington, Covington and Paducah, that sealed proposals will be received at the office of the Auditor of Public Accounts for executing the public printing and binding for the term of two years from and after the first Monday in August next ensuing, at a certain rate below the rates named in this act. Two days after the expiration of the time for receiving proposals as aforesaid, the above named-persons, or any two of them, shall open said

proposals and award said contract for the public printing and binding for the term of two years, and said proposals shall be kept on file in the office of Auditor of Public Accounts.

§ 5. Each bidder shall accompany his or their proposal with a bond to the Commonwealth of Kentucky, with at least two sufficient sureties resident of the State, in the sum of $25,000, conditioned for the faithful, prompt and skillful performance of the work in the manner provided by law, if the contract should be awarded to him or them; and for any breach of said bond, suit may be instituted in the Franklin Circuit Court. Said bond shall be approved by the Governor and Auditor before awarding said contract, and said bond shall be kept in the Auditor's office.

§ 6. The proposals required under this act shall not exceed the prices for printing and binding named in this act, and said contract shall be awarded to the bidder who is the lowest and best, and no bid shall be considered that exceeds the prices named in the following

Schedule of Prices:

For advertising per lineal inch, first insertion, one ($1) dollar; for advertising per lineal inch, each additional insertion, twenty-five (25) cents; plain composition, forty (40) cents; for plain figure work, seventy-five (75) cents; column matter, in three or more columns, depending upon each other, and reading across the page, without rules, seventy-five (75) cents; rule and figure work, tabulated, one ($1) dollar.

For plain ruled blanks, such as the Governor's proclamations (rewards), fifty (50) cents per quire for the first ten quires, and fifteen (15) cents for each additional quire ordered printed at the same time.

For script work, such as the Governor's pardon, fifty (50) cents per quire for the first ten quires, and fifteen (15) cents per quire for each additional quire ordered printed at the same time.

For bill heads, four dollars and twenty-five ($4.25) cents for the first thousand; for each additional thousand, two dollars and seventy-five ($2.75) cents, same form, ordered printed at the same time.

For letter heads, such as are used by the different departments, three ($3) dollars for the first ream, counting 960 half sheets to the ream, and two ($2) dollars per ream for each additional ream, same form, ordered printed at the same time.

For Assessor's blank book blanks, on paper of the required size, ten ($10) dollars for the first thousand sheets, and three ($3) dollars per ream for each additional ream, ordered printed at the same time. This shall include ruling and every thing connected with said blanks.

For blanks on cap or letter paper, half sheets, printed on one side, counting 960 to the ream, five ($5) dollars for the first ream, and two ($2) dollars for each additional ream, same form, ordered

printed at the same time, and fifty (50) cents per quire, if half ream or less be ordered at the same time. The same, printed on both sides, eight ($8) dollars for the first ream, and two dollars and fifty ($2.50) cents for each additional ream, and seventy-five (75) cents per quire, if not more than half ream be ordered at one time.

For envelopes or slips, seventy-five (75) cents for the composition, and one dollar and twenty-five ($1.25) cents per thousand for the press-work.

For returns of births, deaths and marriages, and work of similar character, on flat-cap paper, four dollars and fifty ($4.50) cents for the first ream, and three dollars and fifty ($3.50) cents for each additional ream; on medium paper, five dollars and fifty ($5.50) cents per ream for the first ream, and three dollars and fifty ($3.50) cents for each additional ream; on superroyal paper, six ($6) dollars for the first ream, and three dollars and fifty ($3.50) cents for each additional ream, same form, ordered printed at the same time.

For printing headings and ruling blank books, the compensation shall be as follows: For printing the headings to every book of six quires or less, three ($3) dollars; for every additional quire, twenty-five (25) cents, whether to be put in the same binding or not; for ruling blank books of medium or less size, two ($2) dollars per book; for all sizes over medium, three ($3) dollars per book.

The rates of compensation fixed in this section for work done by the quire, ream or thousand sheets, includes all necessary composition, ruling, press-work, cutting and dry-pressing; and for such work the Public Printer and Binder shall not charge, nor be allowed, any additional compensation.

For original composition, transferred from one document to another, of whatever character, per 1,000 ems, eight (8) cents. This includes leading or unleading, over running, changing head or foot-lines, and making up forms. No composition shall be leaded unless actually required. Nor shall any composition, on any pretext whatever, be paid for a second time, unless the work shall have been actually done, and only then when unavoidable necessity compels its resetting. No charges shall be made or allowed for correcting forms in any case, except where material alterations shall have been made in original copy, in which case there shall be allowed, for every hour of time necessarily occupied in making such corrections, fifty (50) cents.

In estimating the composition upon all bills, resolutions, and other documents ordered by the two Houses, or either of them, to be printed in bill form, the same shall be measured as pica matter. The Journals of the two Houses, the Acts of the General Assembly, and volumes of the Public Documents, shall be measured as small pica matter, and every necessary fraction of a page shall be counted as a full page; but in no case shall an entire blank page be counted or charged for.

The Journals of the two Houses of the General Assembly, the volumes of Public Documents, and the Laws, shall be printed in royal octavo form, on neat small pica type, with, as near as can be, two thousand ems in a page, without any unnecessary leads, blanks, or broken lines or pages. The volumes of Public Documents shall contain nothing that is to be inserted in the Laws or Journals of the same year; and the various documents inserted therein shall follow each other in as close, compact order as is consistent with good workmanship, without the intervention of unnecessary blanks or separate title or half-title pages; and the paging thereof shall be separate, and at the conclusion shall be an index, showing the order in which the documents appear. In cases where any document is printed in pamphlet form, which shall also be inserted in said volumes, and when any document shall be printed in pamphlet form, which shall also be printed in the Journals, but one charge shall be made or allowed for the composition thereof.

All other work, where a separate allowance is made for composition, shall be estimated according to the type used; but no job shall be counted less than 1,000 ems; and all work shall be executed in a style consistent with good taste and workmanship, and with due regard to economy.

For press-work, not otherwise provided for in this act, the compensation shall be as follows, viz: For each token of 250 impressions on full sheets of any size, including dry-pressing, fifty (50) cents. All bills, resolutions, and other documents, ordered by the General Assembly, or either branch thereof, ordered printed in bill form, fifty cents per token, or 250 impressions. Forms shall not be divided, but shall in all cases be made up in 16 pages, provided the book or pamphlet contains that number of pages; and in no case shall press-work exceed fifty cents per token for every 16-page form. This to include folding and delivering, provided not more than two hundred copies are ordered. For folding and inserting maps, diagrams, plates and illustrations, with or without facings, per one hundred copies, one ($1) dollar.

For binding with paper covers all books, documents, or other publications, where the number of pages, exclusive of the covers, does not exceed forty-eight (48), the compensation shall be one and one-half cents per copy, and one cent for every additional forty-eight (48) pages contained therein.

For binding with paper covers, cloth backs, any book, document, or volume, the compensation shall be four (4) cents per copy for every ninety-six (96) pages contained therein, exclusive of the covers.

For half binding, leather backs, titles lettered with gold leaf, paper sides, the compensation shall be as follows: Half-law skiver, forty (40) cents per volume; half-law sheep binding, fifty (50) cents per volume; half-law roan binding, fifty (50) cents per volume.

For full binding the compensation shall be as follows: Law skiver binding, sixty (60) cents per volume; law sheep binding, seventy (70) cents per volume; law calf binding, one dollar ($1) per volume.

For cloth binding the compensation shall be as follows: All books, documents, or other publications, in muslin covers, plain colors, whether plain, gilded, or embossed, with lettering on sides or backs, or both, per volume, forty (40) cents.

For binding blank books the compensation shall be as follows: Plain half binding, letter or cap size, or smaller, less than six quires, thirty (30) cents; six quires or over, fifty (50) cents per book.

Plain binding, with spring backs, less than six quires, one dollar and twenty-five ($1.25) cents; six quires or over, two ($2) dollars per book.

Full binding, less than six quires, two ($2) dollars; six quires or over, two dollars and fifty ($2.50) cents per book.

Full binding, Russia corners, less than six quires, two dollars and fifty ($2.50) cents; six quires or over, three ($3) dollars per book.

Full binding, Russia ends and bands, less than six quires, three ($3) dollars; six quires or over, three dollars and fifty ($3.50) cents per book.

Half binding, demy, less than six quires, sixty (60) cents; six quires or over, eighty (80) cents per book.

Half binding, demy, spring backs, less than six quires, one dollar and seventy-five ($1.75) cents; six quires or over, two dollars and fifty ($2.50) cents per book.

Full binding, less than six quires, two dollars and fifty ($2.50) cents; six quires or over, three ($3) dollars per book.

Full binding, Russia corners, less than six quires, three ($3) dollars; six quires or over, three dollars and fifty ($3.50) cents per book.

Full binding, Russia ends and bands, less than six quires, four ($4) dollars; six quires or over, four dollars and fifty ($4.50) cents per book.

Half binding, medium, less than six quires, one ($1) dollar; six quires or over, one dollar and twenty-five ($1.25) cents per book.

Half binding, with spring backs, less than six quires, two ($2) dollars; six quires or over, two dollars and seventy-five ($2.75) cents per book.

Full binding, less than six quires, three ($3) dollars; six quires or over, three dollars and fifty ($3.50) cents per book.

Full binding, Russia corners, less than six quires, three dollars and fifty ($3.50) cents; six quires or over, four ($4) dollars per book.

Full binding, Russia ends and bands, less than six quires, four dollars and fifty ($4.50) cents; six quires or over, five ($5) dollars per book.

Half binding, royal, less than six quires, one ($1) dollar; six quires or over, one dollar and twenty-five ($1.25) cents per book.

Half binding, royal, with spring backs, less than six quires, two ($2) dollars; six quires or over, two dollars and seventy-five ($2.75) cents per book.

Full binding, less than six quires, three ($3) dollars; six quires or over, three dollars and fifty ($3.50) cents per book.

Full binding, Russia corners, less than six quires, three dollars and fifty ($3.50) cents; six quires or over, four ($4) dollars per book.

Full binding, Russia ends and bands, less than six quires, four dollars and fifty ($4.50) cents; six quires or over, five ($5) dollars per book.

Half binding, superroyal, less than six quires, one dollar and twenty-five ($1.25) cents; six quires or over, one dollar and seventy-five ($1.75) cents per book.

Half binding, superroyal, with spring backs, less than six quires, two dollars and fifty ($2.50) cents; six quires or over, three dollars and twenty-five ($3.25) cents per book.

Full binding, less than six quires, three dollars and twenty-five ($3.25) cents; six quires or over, three dollars and seventy-five ($3.75) cents per book.

Full binding, with Russia corners, less than six quires, four ($4) dollars; six quires or over, four dollars and fifty ($4.50) cents per book.

Full binding, with Russia ends and bands, less than six quires, five ($5) dollars; six quires or over, five dollars and fifty ($5.50) cents per book.

Half binding, imperial, less than six quires, two ($2) dollars; six quires or over, two dollars and seventy-five ($2.75) cents per book.

Half binding, with spring backs, less than six quires, three ($3) dollars; six quires or over, three dollars and seventy-five ($3.75) cents per book.

Full binding, less than six quires, three dollars and seventy-five ($3.75) cents; six quires or over, four dollars and fifty ($4.50) cents per book.

Full binding, with Russia corners, less than six quires, four dollars and fifty ($4.50) cents; six quires or over, five dollars and twenty-five ($5.25) cents per book.

Full binding, with Russia ends and bands, less than six quires, six dollars and fifty ($6.50) cents; six quires or over, seven dollars and fifty ($7.50) cents per book.

For indexing blank books, where the index is a part of the book, with gold letters, for each alphabet, $2.

When the index is a separate volume, the same rate of compensation shall be allowed for it as for other blank books; but the same rule shall apply to indexing as in the preceding subsection.

The words "Public Property," "Property of the State of

Kentucky," "State Library," or other similar lettering which may be required by law, or directed by heads of departments to be placed in or upon books or other public documents, shall be done without extra charge.

§ 7. The foregoing list of prices includes all the work appertaining in any way to binding, except ruling and printing headings in blank books; and all material necessary to be used by the Contractor in binding, with the exception of paper covers and the paper used in blanks and blank books, shall be furnished by the Contractor; said binding material shall be of good substantial quality, such as is used by first-class publishing houses for similar work.

§ 8. There shall be printed 500 copies each of the Journals of the House of Representatives and Senate, 1,000 copies of the pamphlet edition of the Public Laws, 3,000 copies of the bound edition of the Public and Private Laws of each session of the General Assembly, 1,000 copies of the State Treasurer's Report, 2,500 copies of the Auditor's Report, 6,000 copies of the Report of the Superintendent of Public Instruction, 300 copies each of the Adjutant and Quartermaster General's Reports, 500 copies each of the Reports of the Superintendents of the several charitable institutions of the State, the American Printing House for the Blind, the Keeper of the Penitentiary, the President of the Agricultural College, the State Librarian, and the Commissioner of Agriculture, Horticulture and Statistics, 500 copies Railroad Commissioners' Report, 500 copies Report of Superintendent of Mines, and 500 copies of the Documents.

§ 9. The Private and Public Acts of the General Assembly shall be printed separately; but, if practicable, embraced in one volume. The Reports of the Auditor, the Public and Private Acts, the Journals of each House, the Report of the Commissioner of Agriculture, Horticulture and Statistics, and 100 copies of the Governor's Message, shall be bound; all others shall be only stitched, unless otherwise specially ordered; 200 copies of each of the above reports shall be for the use of the members of the General Assembly, and the remainder shall be for the use of the several heads of the various institutions named.

§ 10. For printing, ruling and binding in tag-board or heavy paper covers, the teachers' register and reports, such as now used, ten cents per copy, when over one thousand copies and under five thousand copies are ordered at the same time; when more than five thousand copies are ordered at one time, the price shall be eight cents per copy.

§ 11. Any printing, ruling or binding needed for any of the departments, the price of which is not stated in this act, the head of the department needing such work shall come to an agreement with the Contractor as to the cost of the same before he shall order the work done.

§ 12. The Decisions of the Court of Appeals shall be printed by the Contractor, on paper of superior quality, of not less than

sixty pounds to the ream, and well bound in law sheep, in volumes of not less than seven hundred and fifty pages, in quality not inferior to volume fourteen of Bush's Reports, and in form and manner of execution similar thereto, all material to be furnished by said Contractor. Each volume to contain an index and table of cases, similar to those in volume fourteen of Bush's Reports, to be prepared and furnished by the Reporter of the Court of Appeals; and each volume of said Reports shall be stereotyped, and the Contractor shall secure a copyright for the use of the State for each volume of said Reports so published.

§ 13. The Contractor shall have stereotype plates made for each volume of Reports, and furnish the material, and print and bind, in the manner designated in this act. For printing, binding, electrotyping and paper, and delivering seven hundred and fifty copies complete, as required herein, per copy, three dollars. For a second or additional edition, from plates, paper, press-work, binding complete, not less than two hundred and fifty copies, per volume, one dollar and twenty-five cents. The books to be delivered to the Secretary of State as fast as they are completed. He shall not print or publish any of said Reports except for the State, and as herein provided or make other disposition of them. Said Contractor shall be furnished with the manuscript to be printed, as herein provided, and he shall submit the proof to the Reporter of the Court of Appeals for corrections; and when each edition is completed, the said Contractor shall deliver to the State Librarian the stereotype plates of each volume of Reports so printed and published by him, free of all charge and expense to the State, to be preserved by the State Librarian as the property of the State, subject to the action of the General Assembly of Kentucky.

§ 14. The Contractor shall, on the completion of any job of work ordered to be executed by him under the provisions of this act, render to the Auditor of Public Accounts an itemized account of all such work, showing in said account the amount of composition (where separate payments is allowed for composition), the amount of press-work and of binding, and the cost of each, and the offices or departments for which it was ordered, with the kind, quality and quantity of paper used on each job; which accounts shall be verified by the affidavit of the Contractor, and shall be attached thereto or indorsed thereon. The Contractor shall also deposit with the State Librarian a copy of every job of printing and binding done by him under this act, except blank books, or books of which less than ten copies are ordered; and pasted therein, or attached thereto, shall be an itemized account of the cost of the work done by him on that job, similar in all respects to the itemized account filed with the Auditor, and verified by him in the same manner; and until said account is filed with the Auditor, with the approval of the Governor indorsed thereon, and said copy of the work, with the itemized account attached thereto, is filed with the State Libra-

rian, payment shall not be made by the Auditor to a greater extent than eighty per cent., to be paid on the estimated cost as the work progresses.

§ 15. It shall be the duty of the Auditor to carefully file and preserve, in his office, said itemized accounts of the work done, and the Librarian to carefully keep and preserve in the State Library all of said copies of the work done by the Contractor, with the aforesaid itemized accounts attached thereto; and it shall be the duty of the Printing Committees of the Senate and House of Representatives, or a joint committee appointed for that purpose during each session of the General Assembly, to carefully examine all of said accounts and work so filed since the meeting of the preceding session of the General Assembly, or any such accounts and work formerly done, if, in the opinion of said committee, it may be necessary, and compare said accounts with the prices contracted for under the contract; and if, in the opinion of said committees, or either of them, there is in any of said accounts an improper or illegal charge or charges, it shall be the duty of said committee, through its chairman, to immediately inform, in writing, the Attorney-General of the same, stating concisely the items objected to, and the reasons therefor; and thereupon the Attorney-General shall proceed, in the name of the Commonwealth of Kentucky, by motion in the Franklin Circuit Court, to quash said account or accounts. The Attorney-General shall cause to be served a notice on the Contractor and his sureties at least ten days before said motion shall stand for trial; which notice shall state the amount for which judgment will be asked, and the reasons therefor. He shall also file a copy of the notice with the clerk of said court on or before the day the motion stands for trial; which notice shall be the foundation of the proceeding, and no other pleading shall be necessary. He shall also file with said clerk a copy of the itemized account upon which the proceeding is based, and a copy of the bond of the Contractor. If, upon hearing the motion, it is adjudged that there is any item or items of said account improperly or illegally charged therein, it shall be the duty of the court to quash said account, and render judgment against the Contractor and his sureties, in favor of the Commonwealth, for the amount of the account, and ten per cent. interest thereon from the time the money was paid until collected, and the costs of the proceeding, including a reasonable attorney's fee to the Attorney-General, which shall be allowed by the court. Said judgment shall be enforced as other judgments in favor of the Commonwealth; and the sureties in the bond of the Contractor against whom judgment is rendered shall be responsible to the fullest extent for the payment thereof.

§ 16. The head of each department is hereby authorized to contract for such engraving or lithographing required by him, and all accounts, when approved by such officer and the Governor, shall be paid by the warrant of the Auditor upon the Treasurer for the amount of such account.

§ 17. It shall be the duty of the Contractor to present to the Governor all his accounts for public printing and binding, made out and verified, and it shall be the duty of the Governor to carefully examine all of said accounts, and if he considers them correct, to indorse his approval thereon; and thereupon the Auditor shall draw his warrant upon the Treasurer for the amount due him upon said account or accounts.

§ 18. All paper, envelopes, parchment and other supplies of like character, necessary for executing the public printing, shall be furnished by the State Librarian, as now required by law, except the paper used in printing the Kentucky Reports, and this shall be furnished by the Contractor for each edition ordered printed; and the Contractor shall direct, in writing, the Librarian as to the quantity and quality of paper required for the work to be done by him, but said paper or other material shall not be paid for until the account for same is indorsed "correct" by the State Librarian, and the paper accepted by the Contractor; and in the event the Contractor refuses, in a reasonable time after its delivery, to accept said paper, it shall be immediately returned by the State Librarian to the person or persons furnishing it, at their own expense.

§ 19. The Contractor shall receipt to the State Librarian for all paper or other material received by him, specifying the amount, size, weight, quality and cost of the same, as stated to him by the Librarian; and it shall be the duty of the Librarian to carefully preserve said receipts, and charge the same to the Contractor in a book to be kept for that purpose; and in case he returns any paper or other material to the State Librarian, it shall be placed to his credit in said account book, and the entry shall show the amount, size, quality and cost of the paper or other material so returned, which account book and receipts shall be examined by the committee or committees of the two Houses of the General Assembly, or either of them, at the same time they examine the other accounts of the Contractor.

§ 20. It shall be the duty of the Contractor, by the first day of September in each year, to make an accurate and full report to the Governor of all printing and binding done by him for the year ending the first Monday in August next preceding, showing the same, item by item, the cost, and for what department of the State Government said work was done. The same report shall also show the amount of paper used in each job of work printed by him, the kind, the quality, and the cost thereof; and the total amount paid to him for printing and binding during the year, and what, if any, balance is due to said date. Five hundred copies of said report shall be printed and delivered to the Secretary of State, who shall transmit by mail one copy to each member of the General Assembly; fifty copies shall be placed in the State Library, and the remaining copies shall be distributed by the Secretary of State under the direction of the Governor.

§ 21. On the expiration of his contract, the Contractor shall make a settlement with the State Librarian for all paper received by him during his term, and shall be responsible on his bond for any balance due the State if he fail to return the same, the usual allowance being made for unavoidable waste. Said settlement shall be approved by the Governor.

§ 22. All unfinished work in the hands of the Contractor at the end of his term shall be completed by him.

§ 23. The contract shall embrace all the printing and binding necessary, and required by the departments at the seat of Government, and all printing and binding for the use of the General Assembly, for which payment is made from the State Treasury.

§ 24. All laws or parts of laws, so far as they are in conflict with this act, are hereby repealed; but this act shall not be construed as affecting or in any way applying to the Public Printer now in office.

§ 25. This act shall take effect from and after its passage.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary, notwithstanding, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton, M. C. Alford, A. S. Berry, S. H. Boles, R. A. Burnett, W. J. Caudill, C. M. Clay, Jr., W. M. Cravens, G. G. Gilbert, T. S. Grundy, H. T. Kendall, L. M. Martin, J. H. McDanell, L. W. McKee, J. W. Ogilvie, J. N. Price, D. H. Smith, J. R. W. Smith, E. R. Sparks, W. H. Taulbee, R. S. Triplett, F. T. D. Wallace, E. L. Worthington, Robert Walker—24.

Those who voted in the negative, were—

J. W. Bryan, A. R. Byers, F. M. Clement, John Feland, W. H. Frederick, S. E. Hill, J. T. Simon, J. H. Wilson—8.

So said bill was rejected.

Mr. Alford, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to amend section 203, of the Criminal Code,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with.

Mr. Clay moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday next, February 16th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 203, of the Criminal Code, be so amended as to read as follows: The defendant is entitled to ten peremptory challenges in prosecutions for felony, and to three in prosecutions for misdemeanor.

§ 2. This act shall take effect in ten days after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	D. H. Smith,
A. R. Byers,	H. T. Kendall,	E. R. Sparks,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	J. H. McDanell,	R. S. Triplett,
G. G. Gilbert,	L. W. McKee,	F. T. D. Wallace,
T. S. Grundy,	J. W. Ogilvie,	E. L. Worthington,
J. D. Harris,	J. N. Price,	J. H. Wilson—22.
R. G. Hays,		

Those who voted in the negative, were—

R. T. Albritton,	R. A. Burnett,	J. T. Simon,
A. S. Berry,	F. M. Clement,	J. R. W. Smith,
S. H. Boles,	W. M. Cravens,	Robert Walker—11.
J. W. Bryan,	W. H. Frederick,	

Resolved, That the title of said bill be as aforesaid.

Mr. J. R. W. Smith read and laid on the table a joint resolution, entitled

Resolution fixing a day for the election of a Public Printer and Binder.

Which, under the rule, lies one day on the table.

Mr. Caudill, from the Committee on Enrollments, reported that the Committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to keep persons sentenced to imprisonment in the county jail in Muhlenberg county at labor;

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882;

And an enrolled bill which originated in the Senate, of the following title, viz:

An act to amend the charter of the Citizens' Gas-light Company, of Louisville;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Caudill reported that the committee had performed that duty.

In pursuance to a joint resolution heretofore adopted, directing the Committee on Printing of the two Houses to investigate charges against the Public Printer, Mr. Gilbert, from said committee, submitted the following report, viz:

To the General Assembly of the Commonwealth of Kentucky:

Your joint committee on public printing have had under consideration, House resolution, No. 16, requiring us to examine into the irregularities in the office, and in discharge of the duties of Public Printer, and have investigated the said charges, and beg leave to report that said charges are not sustained. Charges apparently improper on the face of the report of the Public Printer have been satisfactorily explained, and your committee find nothing showing an improper execution of the work of the office, as reflecting upon the honesty or integrity of the present incumbent.

G. G. GILBERT,
Chairman Senate Committee.
H. C. GORIN,
Chairman House Committee.

FEBRUARY 9, 1886.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to incorporate the Hopkinsville Branch Railroad Company.

By same—

A bill to amend the charter of the Jefferson Railway Company, approved January 11, 1867.

By Mr. Hill, from the Committee on Banks and Insurance—

A bill to incorporate the Peoples' Bank, of Fulton.

By same—

A bill to incorporate the Limestone Building Association, of Maysville, Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to incorporate the Paducah Street Railway Company.

By same—

An act to incorporate the St. Louis, Carbondale, Metropolis and Paducah Railway Company.

By Mr. Frederick, from the Committee on Propositions and Grievances—

An act to change the boundary line between common school district No. 27, and the Middleburg Seminary District, in Casey county.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to incorporate the Park City Railway Company.

By same—

An act to legalize certain acts of the South Kentucky and the Evansville, Jackson and New Orleans Railroad Companies.

With amendments to the last two named bills,

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills:

On motion of Mr. Cravens—

1. A bill repealing an act amending article 3, chapter 5, of General Statutes, approved April 28, 1884.

On motion of Mr. Hill—

2. A bill to incorporate the Hartford Transfer and Railroad Company.

On motion of Mr. Worthington—

3. A bill empowering the County Superintendent to redistrict the school districts of Mason county.

On motion of Mr. Gilbert—

4. A bill to repeal chapter 1259, of the Session Acts of 1881-82, relating to the jurisdiction of Courts of Justices of the Peace in the county of Spencer, approved April 22, 1882.

On motion of Mr. Boles—

5. A bill to repeal chapter 155, General Laws, passed at session of 1883-84, enabling the Register of the Land Office to discharge certain duties imposed upon him by the Legislature.

On motion of Mr. Caudill—

6. A bill to create the 19th Judicial District, to be composed of the counties of Estill, Lee, Breathitt, Clay, Leslie, Perry, Knott and Letcher.

On motion of Mr. McDanell—

7. A bill to prohibit the sale of spirituous, vinous or malt liquors on election days in Owen county.

On motion of Mr. Wilson—

8. A bill to amend the common school laws of this Commonwealth.

On motion of same—

9. A bill for the benefit of George W. Chambers, late Surveyor of Whitley county.

On motion of Mr. Wallace—

10. A bill declaring Brushy Fork of Blaine creek, in Lawrence county, a navigable stream.

On motion of Mr. Berry—

11. A bill to prevent the sale of spirituous liquors within one mile of any lock or dam or site of same on any river being improved by the United States Government.

On motion of Mr. McKee—

12. A bill to repeal an act to prevent obstructions of turnpike roads in Anderson county.

On motion of same—

13. A bill to amend an act amending section 2, chapter 55, General Statutes.

On motion of same—

14. A bill to prevent the running of engines by steam over the turnpikes and public roads of this Commonwealth.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st, 4th and 10th; the Committee on Railroads the 2d; the Committee on Education the 3d and 8th; the Committee on Retrenchment and Reform the 5th; the Committee on the Judiciary the 6th; the Committee on Religion and Morals the 7th; the Committee on Claims the 9th; the Committee on Charitable Institutions the 11th; the Committee on General Statutes the 12th and 13th, and the Committee on Propositions and Grievances the 14th.

Mr. Berry moved the following resolution, viz:

1. *Resolved*, That the Senate of Kentucky has learned with profound sorrow of the death of our distinguished citizen and soldier, General Winfield Scott Hancock.

2. That out of respect to his great services to his country and illustrious character, this body do now adjourn.

Which was twice read, and adopted.

And then the Senate adjourned.

THURSDAY, FEBRUARY 11, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had concurred in amendments proposed by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to legalize certain acts of the South Kentucky and the Evansville, Jackson and New Orleans Railroad Companies.

An act to amend an act to incorporate the Paducah and Illinois Bridge Company, approved April 26, 1880.

An act to amend the charter of the Glasgow Railroad Company.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills and resolutions which originated in the Senate, of the following titles, viz:

An act to incorporate the Kingston School Joint Stock Company.

An act for the benefit of common school district No. 3, in Boyd county.

An act to amend an act, entitled "An act to establish a high school in Dixon, Webster county," approved March 13, 1882.

An act to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," passed April 4, 1884.

An act to amend the charter of the public schools of Owensboro.

Resolution calling for copies of all contracts made by Directors of the Penitentiary and lessees of the convict labor from May 3, 1880, to incoming of the present Governor.

Resolution raising a committee to examine and report on branch Penitentiary, at Eddyville.

Resolution raising a committee to consider the propriety and expediency of redistricting the State into judicial districts.

On motion of Mr. Taulbee, the rules were suspended, and he was granted leave to report a bill, entitled

A bill to repeal chapter 968, Session Acts, 1883-84,

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and the title thereof be as aforesaid.

Mr. Feland moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to incorporate the Hopkinsville Branch Railroad Company.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the third reading of said bill, as also the vote ordering it to a third reading be reconsidered.

Mr. Feland proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wilson moved to reconsider the vote by which the consideration of a bill, entitled

A bill to amend an act, approved April 28, 1884, and entitled "An act to amend an act to incorporate the Louisville, Harrodsburg and Virginia Railroad Company," approved March 9, 1868, and to change the name of said company to that of the Louisville Southern Railroad Company,

Was postponed and said bill made the special order of the day for Wednesday, February 17th, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on postponing the further consideration of said bill, and making the same the special order of

the day for Wednesday, February 17th, at 11 o'clock A. M., and from day to day until disposed of, and it was decided in the negative.

On motion of Mr. Simon,

Ordered, That the further consideration of said bill be postponed and made the special order of the day for to-morrow, the 12th inst., at 11 o'clock A. M.

The Senate, according to order, took up for consideration a bill, entitled

A bill to repeal all laws providing for the election of Warden of the Penitentiary by the General Assembly, and providing for the compensation of the present Warden and the election of Wardens in future by the Commissioners of the Sinking Fund.

On motion of Mr. Harris,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for to-morrow, the 12th inst., at 11:30 o'clock A. M.

Mr. Wilson moved the following resolution, viz:

Resolved, That it is the opinion of this Senate that the investigation ordered by this General Assembly concerning the employment and treatment of convicts in coal mines in this State should be made without delay, and the committee having control of the matter is hereby directed to make said investigation at the earliest possible moments.

And the question being taken on the adoption of said resolution it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Wilson and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. M. Cravens,	J. W. Ogilvie,
A. S. Berry,	Henry Dixon,	J. N. Price,
S. H. Boles,	W. H. Frederick,	D. H. Smith,
R. A. Burnett,	R. G. Hays,	E. R. Sparks,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	J. H. McDanell,	J. H. Wilson—18.

Those who voted in the negative, were—

J. W. Bryan,	G. G. Gilbert,	J. R. W. Smith,
C. M. Clay, Jr.,	J. D. Harris,	F. T. D. Wallace,
F. M. Clement,	L. M. Martin,	E. L. Worthington,
John Feland,	L. W. McKee,	J. T. Simon—12.

Mr. Feland moved the following resolution, viz:

Resolved, That the Auditor be requested to furnish the Senate a statement showing the cost of the Superior Court to the Commonwealth from the time of its creation to the present time.

Which was twice read, and adopted.

Mr. Boles, from the Committee on Codes of Practice, to whom was referred leave to bring in bills of the following titles, viz:

A bill to amend section 327, chapter 2, title 9, Civil Code;

A bill to amend subsection 4, section 38, of the Civil Code of Practice;

Asked to be discharged from the further consideration of the leave.

Which was granted.

On motion of Mr. Hays, leave of absence indefinitely was granted Mr. Grundy.

Mr. Caudill, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to legalize certain acts of the South Kentucky and the Evansville, Jackson and New Orleans Railroad Companies;

An act to amend the charter of the Glasgow Railroad Company;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Caudill reported that the committee had performed that duty.

Mr. Boles, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

A bill to amend section 616, of the Civil Code of Practice,

Asked to be discharged from the further consideration of the leave.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 616, of the Civil Code of Practice, be, and the same is hereby, amended by adding to said

section as a part thereof the following words, viz., "and for the payment of any judgment that the defendant may obtain as a counter claim or set-off."

§ 2. This act shall take effect from and after its passage.

And the question being taken on discharging the committee from the further consideration of said leave, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Wilson and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. T. Simon,
A. S. Berry,	G. G. Gilbert,	D. H. Smith,
S. H. Boles,	J. D. Harris,	J. R. W. Smith,
J. W. Bryan,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	L. M. Martin,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. H. McDanell,	E. L. Worthington,
W. M. Cravens,	L. W. McKee,	J. W. Ogilvie—24.

In the negative—Mr. Wilson—1.

So said bill was rejected.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to prevent the sale of liquor within one mile of any lock or dam or site of same on the rivers of Kentucky,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Cravens moved that said bill be amended by adding thereto the following, viz:

The provisions of this act shall not apply to the county of Henry.

And the question being taken on the adoption of said amendment it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. Simon, from the Committee on Executive Affairs, to whom was recommitted a bill, entitled

A bill incorporating the Union Benevolent Society of Cynthiana, Kentucky,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the joint resolution proposed by Mr. J. R. W. Smith on yesterday, which reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Senate and House of Representatives of this General Assembly proceed in joint session to the election of a Public Printer and Binder on Thursday, the eighteenth day of February, 1886, at 12 M.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Wallace, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill giving the further time of two years to Sheriffs and ex-Sheriffs in which to collect their uncollected taxes,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Martin,

Ordered, That said bill be recommitted to the Committee on General Statutes.

The Senate took up for consideration the joint resolution proposed by Mr. Boles, on yesterday, which reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when this General Assembly adjourns on Saturday, February 27, 1886, that it then adjourn without day.

The question being on the adoption of said resolution.

Mr. Martin objected to the consideration of said resolution because its provision fixing time for adjournment is provided for by the Constitution.

The Speaker overruled the objection and ruled said proposed resolution in order.

Mr. Gilbert moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Berry and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	G. G. Gilbert,	J. N. Price,
C. M. Clay, Jr.,	J. D. Harris,	E. L. Worthington,
Henry Dixon,	L. M. Martin,	L. W. McKee—9.

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	D. H. Smith,
A. S. Berry,	R. G. Hays,	J. R. W. Smith,
S. H. Boles,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	J. H. McDanell,	R. S. Triplett,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	J. T. Simon,	J. H. Wilson—22.
John Feland,		

Mr. Clay moved that the further consideration of said resolution be postponed, and that said resolution be made the special order of the day for Saturday, February 20th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	G. G. Gilbert,	J. N. Price,
R. A. Burnett,	J. D. Harris,	J. T. Simon,
A. R. Byers,	S. E. Hill,	E. R. Sparks,
W. J. Caudill,	H. T. Kendall,	F. T. D. Wallace,
C. M. Clay, Jr.,	L. M. Martin,	J. H. Wilson,
W. M. Cravens,	J. H. McDanell,	E. L. Worthington,
Henry Dixon,	L. W. McKee,	J. W. Ogilvie—22.
W. H. Frederick,		

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	W. H. Taulbee,
A. S. Berry,	John Feland,	R. S. Triplett—8.
S. H. Boles,	D. H. Smith,	

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to regulate the civil jurisdiction of the Quarterly Court of Mason county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Gilbert proposed to amend said bill by including the counties of Shelby and Spencer in the provisions of said bill, and to amend the title thereof by adding after the word "Mason" the words "Shelby and Spencer."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. D. H. Smith moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Farmers' Fire Insurance Company of America.

Which motion was simply entered.

Mr. Burnett, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend chapter 56, of the General Statutes, entitled "Incorporated Companies,"

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary, notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Simon, from the Committee on General Statutes, to whom was referred leave to report a bill, entitled

A bill to regulate appeals from Quarterly, Justices of the Peace and Police Courts of this Commonwealth,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. J. R. W. Smith moved to exempt the city of Louisville from the provisions of said bill.

And the question being taken thereon it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Simon, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to regulate and provide punishment for wife beaters,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whoever shall assault and whip, beat, bruise or wound his wife shall, upon indictment and conviction, be fined not more than $200 or less than $20, or punished by being whipped by the Sheriff of the county in which the offense is committed or where the case is tried, as follows, to wit, by not exceeding thirty-nine lashes well laid on his naked bare back in a public place to be fixed by the judge of the court upon the finding of the jury or court.

§ 2. This act shall be in force from and after its passage, and all laws or parts of laws in conflict with the same are hereby repealed.

Mr. McKee proposed the following amendment as a substitute for said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That wife beating be, and the same is hereby made a crime.

§ 2. That whoever shall be guilty of the crime of wife beating or bruising, shall, upon conviction thereof, be confined in the Penitentiary for a period of not less than six, nor more than twelve months, in the discretion of the jury trying the case.

§ 3. All acts in conflict with this are hereby repealed.

§ 4. This act shall take effect from and after its passage.

And the question being taken on the adoption of said amendment, as a substitute for said bill, it was decided in the negative.

Mr. Taulbee moved to amend said bill as follows, viz:

Amend section 1 by inserting in the third line after the word "wife," the words "or any other woman."

And the question being taken thereon, it was decided in the negative.

Mr. Burnett moved to amend said bill as follows, viz:

Amend by inserting at the end of the first section thereof, the following words: "That in prosecutions under this act, the wife shall be a competent witness against the husband."

And the question being taken thereon it was decided in the affirmative.

Mr. Dixon moved to amend said bill by striking out so much thereof as provides a fine.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton, A. S. Berry, S. H. Boles, J. W. Bryan, R. A. Burnett, A. R. Byers, W. J. Caudill, C. M. Clay, Jr., F. M. Clement, W. M. Cravens, Henry Dixon, W. H. Frederick, G. G. Gilbert, J. D. Harris, R. G. Hays, S. E. Hill, H. T. Kendall, L. M. Martin, J. H. McDanell, J. W. Ogilvie, J. T. Simon, D. H. Smith, E. R. Sparks, W. H. Taulbee, E. L. Worthington, F. T. D. Wallace—26.

Those who voted in the negative, were—

John Feland, L. W. McKee, R. S. Triplett, J. H. Wilson—4.

Mr. McKee proposed the following amendment to said bill, viz:

Amend by striking out so much of the bill as requires stripes upon conviction.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKee and Feland, were as follows, viz:

Those who voted in the affirmative, were—

John Feland, L. W. McKee, J. R. W. Smith, R. S. Triplett, J. H. Wilson—5.

Those who voted in the negative, were—

R. T. Albritton, A. S. Berry, S. H. Boles, J. W. Bryan, R. A. Burnett, A. R. Byers, W. J. Caudill, C. M. Clay, Jr., F. M. Clement, W. M. Cravens, Henry Dixon, W. H. Frederick, G. G. Gilbert, J. D. Harris, R. G. Hays, H. T. Kendall, L. M. Martin, J. H. McDanell, J. W. Ogilvie, J. N. Price, J. T. Simon D. H. Smith, E. R. Sparks, W. H. Taulbee, E. L. Worthington, F. T. D. Wallace—26.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	J. W. Ogilvie,
A. S. Berry,	W. H. Frederick,	J. N. Price,
S. H. Boles,	G. G. Gilbert,	J. T. Simon,
J. W. Bryan,	J. D. Harris,	D. H. Smith,
R. A. Burnett,	R. G. Hays,	E. R. Sparks,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
F. M. Clement,	J. H. McDanell,	F. T. D. Wallace—25.
W. M. Cravens,		

Those who voted in the negative, were—

A. R. Byers,	L. W. McKee,	R. S. Triplett,
John Feland,	J. R. W. Smith,	J. H. Wilson—6.

Resolved, That the title of said bill be as aforesaid.

Mr. McKee read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Committee on Judiciary of the Senate and House of Representatives report to this General Assembly as soon as practicable whether the present General Assembly can, under the provisions of the Constitution, increase the number of judicial districts in this State.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

Mr. Wilson, from the Committee on Fish Culture, to whom was referred a bill from the House of Representatives, entitled

An act to repeal an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1876,

Reported the same with an amendment as a substitute therefor.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act for the propagation and protection of food-fishes in the State of Kentucky," approved March 20, 1876, and all amendatory acts be, and are hereby, repealed, except so much thereof as makes it unlawful

for any one to place in any of the waters of this State, any lime or other deleterious substance, or any drug or medicated bait, or any explosive agent with intent thereby to injure, poison or catch fish; and also except that part of said act which makes it unlawful for any one to stretch a net across any stream which empties into the Cumberland river, below the falls thereof, the Ohio river, or the Mississippi river, in this State, within one-half mile of the place where said stream empties into either of said rivers.

§ 2. This act shall take effect from its passage.

Said proposed substitute reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1876, be, and the same is hereby, amended by adding to the sixth section of said act as a part thereof the following words, viz: "Or to catch fish with a seine between April 1st and June 15th, and September 15th and November 1st of each year," but said words hereby added to said act shall not apply to the Cumberland river and its tributaries above Cumberland Falls.

§ 2. This act to take effect from and after its passage.

Mr. McKee moved to amend said proposed substitute by exempting Salt river from the provisions thereof.

Mr. D. H. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and Harris, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	D. H. Smith,	F. T. D. Wallace—5.
G. G. Gilbert,	E. L. Worthington,	

Those who voted in the negative, were—

A. S. Berry,	John Feland,	J. W. Ogilvie,
S. H Boles,	W. H. Frederick,	J. N. Price,
J. W. Bryan,	J. D. Harris,	J. T. Simon,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	E. R. Sparks,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	J. H. McDanell,	R. S. Triplett—22.
W. M. Cravens,		

Mr. Feland moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. McKee to the amendment proposed by the committee as a substitute for said bill, and it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by the committee as a substitute for said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	E. R. Sparks,
J. W. Bryan,	J. D. Harris,	R. S. Triplett,
W. J. Caudill,	H. T. Kendall,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. H. McDanell,	J. H. Wilson,
F. M. Clement,	L. W. McKee,	E. L. Worthington,
Henry Dixon,	J. T. Simon,	J. R. W. Smith—19.
John Feland,		

Those who voted in the negative, were—

S. H. Boles,	R. G. Hays,	J. N. Price,
R. A. Burnett,	S. E. Hill,	D. H. Smith,
A. R. Byers,	L. M. Martin,	W. H. Taulbee—11.
G. G. Gilbert,	J. W. Ogilvie,	

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Triplett, from the Committee on Library, Public Buildings and Offices, to whom was referred leave to bring in a bill, entitled

A bill to abolish the building known as the "Back Capital," declaring same a nuisance,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and was ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wilson objected to the further reading of said bill on this day, so the same fell in the orders of the day.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Taulbee, from the Committee on Propositions and Grievances—

A bill declaring Brushy Fork of Blaine creek, in Lawrence county, a navigable stream.

By Mr. Boles, from the Committee on Codes of Practice—

A bill to amend section 601, of the Civil Code of Practice.

By Mr. Hill, from the Committee on Courts of Justice—

A bill to consolidate and reduce into one the several acts in relation to the town of Taylorsville.

By same—

A bill to repeal chapter 1259, of the Session Acts of 1881-82, entitled "An act to define the jurisdiction of Courts of Justices of the Peace in the county of Spencer."

By Mr. Wallace, from the Committee on Education—

An act for the benefit of common school district No. 7, Boyd county.

By same, from the Committee on General Statutes—

A bill giving L. P. Davenport, of Boyd county, late Marshal of Catlettsburg, two years' further time to collect taxes and fee bills.

By Mr. Burnett, from the same committee—

A bill for the benefit of James M. Lee, Sheriff of Hardin county, and to legalize his revenue and official bonds.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Burnett, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to authorize Surveyors to administer certain oaths, and to repeal section 3, article 3, chapter 105, General Statutes,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Taulbee—

1. A bill to repeal chapter 968, of Session Acts of 1883–84.

On motion of Mr. J. R. W. Smith—

2. A bill to amend the charter of the Central Passenger Railroad Company, of Louisville.

On motion of Mr. Feland—

3. A bill to establish an additional voting place in Fairview magisterial district, in Todd county.

On motion of same—

4. A bill to provide for holding two additional terms of the Christian County Circuit Court.

On motion of Mr. McDanell.

5. A bill authorizing the Owen County Court to issue bonds and levy a tax for turnpike purposes.

On motion of same—

6. A bill for the benefit of Elijah Hogan, late Sheriff of Gallatin county.

On motion of Mr. Gilbert—

7. A bill to amend an act incorporating the Cumberland and Ohio Railroad Company, approved February 24, 1869.

On motion of Mr. Martin—

8. A bill to authorize the sale of the Cynthiana and Indian Creek Turnpike Road.

On motion of Mr. Berry—

9. A bill to empower St. Paul's Church of Newport, Kentucky, to bond its debt.

Ordered, That the Committee on General Statutes prepare and

bring in the 1st, 3d and 4th; the Committee on Railroads the 2d and 7th; the Committee on Courts of Justice the 5th; the Committee on Propositions and Grievances the 6th; the Committee on the Judiciary the 8th, and the Committee on Claims the 9th.

Mr. Berry moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	J. T. Simon,
S. H. Boles,	G. G. Gilbert,	E. R. Sparks,
W. J. Caudill,	J. D. Harris,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. H. McDanell,	J. H. Wilson—14.
F. M. Clement,	J. N. Price,	

Those who voted in the negative, were—

R. T. Albritton,	H. T. Kendall,	J. R. W. Smith,
J. W. Bryan,	L. M. Martin,	W. H. Taulbee,
R. A. Burnett,	L. W. McKee,	E. L. Worthington,
John Feland,	D. H. Smith,	R. S. Triplett—13.
S. E. Hill,		

And then the Senate adjourned.

FRIDAY, FEBRUARY 12, 1886.

On motion of Mr. Ogilvie, the reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the State bordering on the navigable rivers thereof, for the purpose of constructing canals or of erecting thereon dams, abutments, locks, lock-keepers' dwellings, offices and all necessary structures for the construction and maintenance of slack water navigation on said rivers, and ceding jurisdiction over the same, and for imposing fines and penalties for willful injuries to the grounds, buildings and appurtenances acquired under the provisions of this act," approved January 24, 1880.

An act to empower the trustees of Republican Church, near Nebo, in Hopkins county, to sell the said church property and re-invest the proceeds in a new house of worship.

That they had concurred in an amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend an act to incorporate the Paducah and Illinois Bridge Company, approved April 26, 1880,

With an amendment thereto.

That they had concurred in the adoption of a resolution and passed a bill which originated in the Senate, of the following titles, viz:

Resolution requesting Kentucky members of Federal Congress to use their influence to secure an appropriation from the Government to lock and dam the Licking river, in Kentucky.

An act in relation to contagious and infectious diseases of cattle.

With an amendment to both the resolution and said bill.

That they had adopted a resolution and passed a bill of the following titles, viz:

Resolution providing for firing a National salute on the 22d of February, 1886.

An act repealing all acts making it unlawful to seine and trap fish in the county of Nelson.

Said resolution was taken up, twice read, and concurred in.

Said bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Messrs. Gilbert and Albritton, the special committee appointed under a resolution heretofore adopted to examine the monthly settlements made by the Secretary of State with the Auditor and Treasurer, submitted the following report:

To the HON. JAS. R. HINDMAN, *Speaker of the Senate:*

SIR: The undersigned special committee, appointed at the present session, to examine the monthly settlements made by the Secretary of State, with the Auditor, showing the condition of the Treasury, and the monthly receipts and expenditures of the public money, beg leave to report that we have examined said monthly statements and find nothing wrong therein. The statements do not show the items and do not contain the vouchers, and we are unable to obtain from them the requisite information in detail to show the real situation of the offices. These statements balance, however, and we have no information or belief that any irregularities exist, and nothing to justify a more detailed investigation. All of which is respectfully reported.

G. G. GILBERT,
R. T. ALBRITTON.

FEBRUARY 11, 1886.

A message, in writing, was received from the Governor by Mr. H. M. McCarty, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent, will appoint the following named gentlemen as Trustees of the Agricultural and Mechanical College of Kentucky, viz:

W. D. Nicholas, Esq., of Lexington; J. D. Clardy, M. D., of Christian county; Col. L. J. Bradford, of Covington, and Hon. Richard J. Spurr, of Fayette county, to fill vacancies in the board caused by expiration of service.

Very respectfully,

J. PROCTOR KNOTT.

Ordered, That said message be referred to the Committee on Agriculture and Manufactures.

Mr. Martin moved that the rules be suspended, and that the Senate take up for consideration the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act in relation to contagious and infectious diseases of cattle.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
A. S. Berry,	J. D. Harris,	J. T. Simon,
J. W. Bryan,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	S. E. Hill,	E. R. Sparks,
C. M. Clay, Jr.,	H. T. Kendall,	W. H. Taulbee,
W. M. Cravens,	L. M. Martin,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
John Feland,	L. W. McKee,	Robert Walker—26.
W. H. Frederick,	J. W. Ogilvie,	

Those who voted in the negative, were—

R. T. Albritton,	A. R. Byers,	F. T. D. Wallace,
S. H. Boles,	F. M. Clement,	J. H. Wilson—8.
R. A. Burnett,	D. H. Smith,	

[*For bill, see Senate Journal, January 19th.*]

Said proposed amendment reads as follows, viz:

Amend by striking out the work "fifty," in the second line of the eleventh section, and inserting "thirty" in lieu thereof.

After the word "Auditor," in the tenth line of section 12, add the following words: "*Provided*, That the whole appropriation made by this bill shall not exceed $6,000."

By striking out, in the fourth line of section 10, word "five" and inserting instead thereof the word "three."

By striking out of section 12, in the fifth line thereof, the word "one" and inserting instead thereof the word "three."

The question was then taken on concurring in the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
A. S. Berry,	J. D. Harris,	J. T. Simon,
S. H. Boles,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	S. E. Hill,	E. R. Sparks,
C. M. Clay, Jr.,	H. T. Kendall,	W. H. Taulbee,
W. M. Cravens,	L. M. Martin,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	Robert Walker,
John Feland,	L. W. McKee,	E. L. Worthington,
W. H. Frederick,	J. W. Ogilvie,	J. H. Wilson—27.

Those who voted in the negative, were—

R. T. Albritton,	A. R. Byers,	D. H. Smith,
J. W. Bryan,	F. M. Clement,	F. T. D. Wallace—7.
R. A. Burnett,		

Mr. Clay moved to reconsider the vote by which the Senate concurred in the adoption of said amendment.

Mr. Price moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Caudill, from the Committee on Enrollments, reported that the Committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the St. Louis, Carbondale, Metropolis and Paducah Railway Company;

An act to change the boundary line between common school district No. 27, and the Middleburg district, in Casey county;

An act to incorporate the Paducah Street Railway Company;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his

signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Caudill reported that the committee had performed that duty.

Mr. Wilson moved the following resolution, viz:

Resolved by the Senate, That it is thought to be inexpedient to pass laws at this session of the following character, viz: To make counties support their pauper idiots; to make them pay the cost of criminal prosecutions; to make them pay for record books; to make them pay for the transportation of prisoners from one jail to another.

On motion of Mr. Wilson,

Ordered, That said resolution be placed in the orders of the day.

Mr. Berry moved the following resolution, viz:

WHEREAS, The Senate by resolution adopted January 23, 1886, asked a statement in detail from the Auditor of the expenditures by the State of $23,020.83, for copying records in Jefferson county, which statement was reported to the Senate January 26, 1886; and, whereas, said amount seems extravagant in amount,

Resolved, That a committee of three members of this body be appointed to visit Louisville and examine said work and determine, if they can, the justice of such charge, and report the result of their investigation to the Senate.

Which was twice read, and adopted.

The Senate, according to order, took up for consideration a bill, entitled

An act to amend an act, approved April 28, 1884, and entitled "An act to amend an act to incorporate the Louisville, Harrodsburg and Virginia Railroad Company," approved March 9, 1868, and to change the name of said company to that of the Louisville Southern Railroad Company.

Mr. Frederick presented the petition of the Louisville Southern Railroad Company, praying the reference of said bill to the proper committee, and thereupon moved that said bill and petition be recommitted to the Committee on Railroads.

Mr. Dixon moved that said bill be recommitted to the Committee on Railroads, with directions to report to-morrow at 11 o'clock A. M.

On motion of Mr. Feland, the Senate resolved itself into a Committee of the Whole on the state of the Commonwealth for the further consideration of said bill.

Whereupon, the Speaker of the Senate vacated the chair, and Mr. Feland was called to and occupied same.

After a time spent in the consideration of said bill the committee rose, the Speaker of the Senate resumed the chair, and Mr. Feland, the Chairman, reported that the Committee had had under consideration a bill, entitled

A bill to amend an act, approved April 28, 1884, and entitled "An act to amend an act to incorporate the Louisville, Harrodsburg and Virginia Railroad Company," approved March 9, 1868, and to change the name of said company to that of the Louisville Southern Railroad Company,

And after proceeding with the consideration of the same for a time had risen and directed him to report the bill back to the Senate with the expression of opinion that said bill be immediately taken up and considered by the Senate.

And the question being taken on sustaining the report of the committee, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	J. D. Harris,	J. R. W. Smith,
A. S. Berry,	R. G. Hays,	E. R. Sparks,
S. H. Boles,	S. E. Hill,	W. H. Taulbee,
J. W. Bryan,	H. T. Kendall,	R. S. Triplett,
R. A. Burnett,	L. M. Martin,	Robert Walker,
A. R. Byers,	J. H. McDanell,	F. T. D. Wallace,
W. J. Caudill,	J. W. Ogilvie,	J. H. Wilson,
C. M. Clay, Jr.,	J. N. Price,	E. L. Worthington,
John Feland,	J. T. Simon,	D. H. Smith—28.
W. H. Frederick,		

In the negative—none.

Said bill was then taken up and read as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act approved April 28, 1884, and entitled "An act to amend an act to incorporate the Louisville, Harrodsburg and Virginia Railroad Company," approved March 9, 1868, and to change the name of said company to that of the

Louisville Southern Railroad Company, be, and the same is, amended by striking out of said act all of the first section thereof and the said section is hereby repealed.

§ 2. This act shall take effect from and after its passage.

Mr. J. R. W. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. J. R. W. Smith had heretofore proposed an amendment as a substitute for said bill, which reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of the first section of an act, entitled "An act to amend an act entitled an act to incorporate the Louisville, Harrodsburg and Virginia Railroad Company," approved March 9, 1868, and to change the name of said company to that of the Louisville Southern Railroad Company, approved April 28, 1884, is hereby stricken out and repealed, as is contained in the following words, to wit: "*Provided, however*, That as to the city of Louisville it shall be lawful for said city to indorse the bonds of said railroad company to an amount not exceeding one-tenth of the authorized capital stock of said company, guaranteeing the payment of the principal and interest thereof. It shall be the duty of the Mayor of said city of Louisville, when a petition is signed by 500 of the tax payers of said city, if presented, to issue an order submitting the question of such indorsement to be voted upon by the people of said city of Louisville. The petition shall set forth the terms and conditions upon which such indorsement is to be made, and when such election is so ordered the same shall be voted on, as follows: A poll-book shall be prepared with two columns, one headed 'for the railroad proposition,' the other headed, 'against the railroad proposition.' The officers of the last city election in said city shall be the officers of the election provided for herein, and any vacancy shall be filled as now required by law or ordinance. And if a majority of the votes cast shall be for the railroad proposition, then it shall be the duty of the Mayor to indorse said bonds, as provided for in said petition; and the terms set forth in said petition shall be the agreement between the said city and the said railroad company; or the general Council of the city of Louisville may, by ordinance, provide for such indorsement as aforesaid, upon the terms set forth therein, and duly passed as provided for in relation to other ordinances of said city. In case the said city shall so indorse the bonds of said railroad then it shall not be lawful for it to subscribe for any of the capital stock of said railroad company." And all of the words aforesaid contained in the first section of said act are hereby stricken out and repealed.

§ 2. That the said first section of said act be, and the same is hereby, further amended, by adding to the remaining portion of said section the following words: That none of the provisions of this section, or of this act, or of any act to which this is an amendment, shall apply to the city of Louisville, and it is expressly provided that the said city of Louisville shall in no manner subscribe to the capital stock, or for the bonds, or indorse the bonds of either the Louisville, Harrodsburg and Virginia Railroad Company, or the Louisville Southern Railroad Company: *Provided*, The provisions of this section shall apply to the counties of Bourbon, Clark, Montgomery, Jessamine, Woodford, Scott, Spencer, Pulaski, Laurel, Jackson, Knox, Whitley, Bell, Johnson, Magoffin, Breathitt, Owsley, Lee, Powell, Menifee, Wolfe, Morgan, Campbell, Greenup, Boyd, Lawrence, Elliott and Harrison.

§ 3. That all provisions of the charter of either the Louisville, Harrodsburg and Virginia Railroad Company, or the Louisville Southern Railroad Company, and all amendments to the charter of either of said companies, and all acts or parts of acts in conflict with this act are hereby repealed.

§ 4. This act shall take effect and be in force from and after its passage.

Mr. Clay had heretofore proposed the following amendment to said proposed substitute, viz:

Amend second section by adding the words: "*Provided*, That the provisions of this section shall also apply to the counties of Bourbon, Clark, Montgomery, Jessamine, Woodford, Scott, Spencer, Pulaski, Laurel, Jackson, Knox, Whitley, Bell, Johnson, Magoffin, Breathitt, Owsley, Lee, Powell, Menifee, Wolfe, Morgan, Campbell, Greenup, Boyd, Lawrence, Elliott and Harrison.

The question was then taken upon the adoption of said amendment to said amendment proposed as a substitute for said bill, and it was decided in the affirmative.

The question was then taken upon the adoption of the amendment proposed as a substitute for the bill, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hays and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	D. H. Smith,
M. C. Alford,	G. G. Gilbert,	J. R. W. Smith,
A. S. Berry,	J. D. Harris,	E. R. Sparks,
S. H Boles,	R. G. Hays,	W. H. Taulbee,

J. W. Bryan, R. A. Burnett, A. R. Byers, W. J. Caudill, C. M. Clay, Jr., F. M. Clement, John Feland, S. E. Hill, H. T. Kendall, L. M. Martin, J. H. McDanell, L. W. McKee, J. W. Ogilvie, J. N. Price, R. S. Triplett, Robert Walker, F. T. D. Wallace, J. H. Wilson, E. L. Worthington, J. T. Simon—32.

In the negative—none.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Clay moved to reconsider the vote by which the Senate had passed said bill.

Mr. D. H. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

A bill to repeal all laws providing for the election of Warden of the Penitentiary by the General Assembly, and providing for the compensation of the present Warden and the election of Wardens in future by the Commissioners of the Sinking Fund.

On motion of Mr. Clay,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Monday next, the 15th inst., at 11 o'clock A. M., and from day to day until disposed of.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Caudill—

1. A bill providing for timber trade-mark, and regulating fees for taking up floating timbers in Big Sandy and Ohio rivers.

On motion of Mr. Price—

2. A bill for the benefit of the Bell Grove Spring and Blue Bank turnpike road, in Fleming county.

On motion of Mr. Caudill—

3. A bill for the benefit of P. A. Cline, of Pike county.

On motion of same—

4. A bill for the benefit of John A. Cassada.

On motion of Mr. Ogilvie—

5. A bill authorizing the Chicago, St. Louis and New Orleans Railroad Company and the Illinois Central Railroad Company, or either of them, to build a railroad bridge across the Ohio river.

On motion of Mr. Boles—

6. A bill to repeal chapter 1317, of the General Laws of this Commonwealth, passed in 1881–82, and approved April 22, 1882, providing for an additional clerk in the office of Register of the Land Office.

On motion of Mr. Wallace—

7. A bill giving the Sheriffs and ex-Sheriffs of this Commonwealth two years' further time in which to collect their uncollected taxes and fee bills.

On motion of Mr. Dixon—

8. A bill to incorporate the Henderson Trust Company.

On motion of same—

9. A bill to amend an act entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867, and the several acts amendatory thereto.

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st and 2d; the Committee on Courts of Justice the 3d and 9th; the Committee on Claims the 4th; the Committee on Railroads the 5th; the Committee on Retrenchment and Reform the 6th; the Committee on General Statutes the 7th, and the Committee on Banks and Insurance the 8th.

On motion of Mr. Berry, the Senate then adjourned.

SATURDAY, FEBRUARY 13, 1886.

On motion of Mr. Boles, the reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives announcing that they had passed a bill, entitled

An act to repeal an act, entitled "An act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization," approved May 10, 1884.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, said bill was referred to the Committee on Finance.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to establish a line between school district No. 26, Boyd county, and No. 80, Lawrence county.

An act to amend the charter of the Citizens' Gas-light Company, of Louisville.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Stanford Street Railway Company,

Reported the same with an expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary, notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Ogilvie, from the Committee on Religion and Morals, to whom was recommitted a bill, entitled

A bill to prohibit the sale or gift of vinous, spirituous or malt liquors within two miles of Green Brier Baptist Church, in Daviess county, or within two miles of New Bethel Methodist Church, in Ohio county,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Berry moved the following resolution, viz:

Resolved, That a committee of three be raised to investigate the question affecting the reputation of the Senator from Barren, with power to send for persons and papers connected therewith and they will report to this body the result of the investigation.

Which was twice read, and adopted.

Whereupon, the Speaker appointed Messrs. Berry, Burnett and Wilson such committee.

Mr. Berry moved the following resolution, viz:

WHEREAS, Miss Mary Anderson has achieved for herself a reputation which is co-extensive with the enlightened world in which we individually and collectively, officially and personally feel a just pride as Kentuckians,

1. *Resolved*, That this body request her, if possible for her to appear in one of her great roles in the city of Frankfort, at such date as she may designate.

2. That a copy hereof be sent to Miss Anderson.

Which was adopted.

Mr. Clement read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the State Librarian be directed to procure a new flag, and have same hoisted over the State House, at a cost of not exceeding $50.

Which, under the rule, lies over one day.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to amend the county road laws in the State,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Hill, from the Committee on Courts of Justice, to whom was recommitted a bill, entitled

A bill for the maintenance and burial of pauper idiots,

Reported the same with an amendment.

On motion of Mr. McKee,

Ordered, That the further consideration of said bill be postponed and that said bill be made the special order of the day for Tuesday, February 23d, at 11 A. M., and from day to day until disposed of.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. D. H. Smith, from the Committee on General Statutes—

A bill to authorize certain persons to convey a certain tract of land in Larue county, and invest the proceeds in other land to be used as a public burying-ground at Big Spring Church, in Larue county.

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill to amend an act, entitled "An act to incorporate the board of church extension of the Methodist Episcopal Church, South," approved February 20, 1884.

By same—

A bill to amend the charter of St. Paul's Church, in Henderson.

By Mr. McDanell, from same committee—

A bill to prohibit the sale of spirituous, vinous and malt liquors on election days in Owen county.

By Mr. Boles, from the Committee on Codes of Practice—

A bill for the benefit of N. B. Foster, Charles Foster and S. L. Foster.

By Mr. Hill, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24, 1869.

By same—

A bill to establish a Board of Commissioners for Lawrence county, and defining their powers and duties, and defining the duties of certain officers whose duties are connected therewith.

By same—

A bill empowering St. Paul's Protestant Episcopal Church, of Newport, Ky., to bond its debt.

By same—

A bill to amend an act, entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867, and the several acts amendatory thereto.

By Mr. Taulbee, from the same committee—

A bill to authorize the Owen County Court to issue bonds and levy a tax for turnpike purposes.

By Mr. Burnett, from the Committee on General Statutes—

A bill to establish an additional voting place in the Fairview magisterial district, in Todd county.

By same—

A bill to provide for holding two additional terms of the Christian Circuit Court.

By same—

A bill to repeal an act, entitled "An act to prevent obstructions of turnpike roads in Anderson county.

By Mr. Simon, from the same committee—

A bill to authorize the Pendleton County Court to issue and sell bonds, and provide means of redeeming and regulating the manner of executing sale and disbursement of funds, etc.

By Mr. Feland, from the Committee on Public Health—

A bill to prevent adulteration of and deception in the sale of dairy products.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Taulbee moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	F. M. Clement,	J. W. Ogilvie,
S. H. Boles,	W. M. Cravens,	J. N. Price,
R. A. Burnett,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	J. H. McDanell,	W. H. Taulbee—12.

Those who voted in the negative, were—

R. T. Albritton,	S. E. Hill,	R. S. Triplett,
J. W. Bryan,	L. M. Martin,	F. T. D. Wallace,
W. J. Caudill,	J. T. Simon,	E. L. Worthington,
Henry Dixon,	D. H. Smith,	J. H. Wilson—13.
G. G. Gilbert,		

Mr. Berry, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate and establish a system of public schools in the town of Elkton, and within a radius of three miles of the court-house in said town,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to regulate the settlement of decedents' estates,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Simon, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend section 3, of article 2, chapter 61, General Statutes,

Reported the same without amendment.

On motion of Mr. Feland,

Ordered, That said bill be recommitted to the Committee on Finance.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Feland—

1. A bill to amend an act incorporating the board of church extension of the Methodist Episcopal Church, South.

On motion of Mr. J. R. W. Smith—

2. A bill for the benefit of the street railways in this Commonwealth.

On motion of Mr. Albritton—

3. A bill authorizing a vote of the qualified voters of Mayfield and within one mile thereof as to whether or not spirituous, vinous or malt liquors shall be sold within those limits.

On motion of Mr. McDanell—

4. A bill to incorporate and regulate the fire, marine, health, accident, live stock and all other, except life, insurance companies.

On motion of Mr. Price—

5. A bill for the benefit of the town of Nepton, in Fleming county.

On motion of Mr. Caudill—

6. A bill to amend and reduce into one all the acts relating to the town of Pikeville, in Pike county.

On motion of Mr. Burnett—

7. A bill to extend the Court of Common Pleas in the First Judicial District to include the county of Livingston, in trials of common law and equity causes.

On motion of Mr. D. H. Smith—

8. A bill to regulate the pay of Trustees of the Jury Fund in this Commonwealth.

On motion of Mr. McKee—

9. A bill to charter the Frankfort Water Company, and to ratify and confirm the water-works ordinance of the Board of Councilmen of Frankfort, and its contract thereunder with the Frankfort Water Company.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st; the Committee on Railroads the 2d; the

Committee on General Statutes the 3d and 8th; the Committee on Banks and Insurance the 4th; the Committee on Internal Improvements the 5th, 6th and 9th, and the Committee on Courts of Justice the 7th.

On motion of Mr. Bryan, the Senate then adjourned until Monday next at 11 o'clock A. M.

MONDAY, FEBRUARY 15, 1886.

The Journal of Saturday was read and approved.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of Bardstown, in the county of Nelson.

An act to amend an act, entitled "An act to amend, digest and reduce into one, all the acts incorporating the city of Lexington," approved April 19, 1882.

An act to establish the Lexington Police and Fire District, in Fayette county, and to provide for the government thereof.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Dixon moved that a committee be appointed to withdraw from the House of Representatives the announcement of the

passage by the Senate, of a bill which originated in the Senate, entitled

An act to incorporate the Economic Heating Company.

And the question being taken thereon it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	F. M. Clement,	S. E. Hill,
S. H. Boles,	Henry Dixon,	L. M. Martin,
R. A. Burnett,	John Feland,	E. L. Worthington,
W. J. Caudill,	G. G. Gilbert,	J. W. Ogilvie—12.

Those who voted in the negative, were—

H. T. Kendall,	J. R. W. Smith,	F. T. D. Wallace,
L. W. McKee,	W. H. Taulbee,	J. H. Wilson—8.
D. H. Smith,	Robert Walker,	

Whereupon, the Speaker appointed Mr. Dixon such committee.

After a short time, Mr. Dixon reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

The Speaker laid before the Senate the response of the *ex officio* Directors of the Penitentiary to a resolution heretofore adopted, calling for copies of all contracts made with the lessees of convict labor from incoming of the present Governor.

Said response was taken up and read as follows, viz:

FRANKFORT, February 12, 1886.

HON. J. R. HINDMAN, *Speaker of the Senate:*

SIR: In compliance with the joint resolution, approved February 9, 1886, requesting the Committee of the Sinking Fund to communicate to the General Assembly copies of all contracts with the Foard and Mason companies in regard to the State convict labor, and including bonds taken by said commissioners from said company to secure the performance of said contracts, as well as contracts made or bonds taken by said commissioners in regard to the convict labor since the adoption of the warden

system in 1880; also as to whether, in the opinion of said commissioners, the sureties of the Mason & Foard Company on the bond or bonds executed by said company for said convict labor are in the aggregate worth an amount double that of the agreed contract given: we submit herewith copies of the contracts asked for, with statement of sums paid thereon, and as to the worth of the bond of the Mason & Foard Company, we deem it to be worth far more than double the amount for which it was given, and certainly ample to secure the State.

Under the contract with Warner, Tabler & Co. there has been paid into the Treasury $13,344.30. They were sued and judgment obtained, upon which there remains an unpaid balance of $6,584.90, against which they claim a credit which is now being adjusted. This balance is amply secured.

Under the contract with Jones & Brown there has been received $9,536.45. They have been sued for $50,750, which suit remains undetermined.

Under the contract with C. R. Mason & Co. there has been paid $43,810.56.

Under the contract with the Mason & Foard Company there has been paid $26,729.60.

Of this amount paid by the Mason & Foard Company ($26,729.60) there was paid for officers', guards' and inspectors' salaries the sum of $20,479.60. The balance, $6,250, applies to the annual rental of $8,333.33, which is due and paid quarterly.

Yours respectfully,

J. PROCTOR KNOTT.

On motion of Mr. Boles,

Ordered, That said response and accompanying documents be referred to the Committee on Penitentiary and House of Reform.

Mr. D. H. Smith read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee consisting of two Senators to be named by the Speaker of the Senate, and three Representatives be appointed to visit and investigate the condition of the various asylums of this State, and said committee is directed to make a full report, in writing, of their investigation to this General Assembly.

Which, under the rule, lies over one day.

Mr. Caudill, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to authorize Surveyors to administer oaths, and to repeal section 3, article 3, chapter 105, General Statutes;

An act repealing all acts making it unlawful to seine and trap fish in the county of Nelson;

And an enrolled bill which originated in the Senate, of the following title, viz:

An act in relation to infectious and contagious diseases of cattle;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Caudill reported that the committee had performed that duty.

Mr. Walker, from the Committee on Public Health, to whom was referred a bill from the House of Representatives, entitled

An act prescribing the manner of selling the sulphate and other preparations of morphine and opium in this State, and for other purposes,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hill—

1. A bill to change the time of making the annual reports of certain officers.

On motion of Mr. D. H. Smith—

2. A bill to amend section 6, chapter 62, General Statutes.

On motion of Mr. Feland—

3. A bill to prohibit the sale of spirituous, vinous and malt

liquors within two miles of the public school-house at Casky's Station, in Christian county.

On motion of same—

4. A bill to amend the charter of the Hopkinsville and Cadiz Railroad Company.

On motion of same—

5. A bill to amend and reduce into one the several acts concerning the town of Earlington.

On motion of same—

6. A bill to prohibit the sale of spirituous, vinous and malt liquors in Christian county, subject to a vote of the people.

On motion of Mr. Caudill—

7. A bill for the benefit of W. G. Caudill, Circuit Clerk of Letcher county.

Ordered, That the Committee on Charitable Institutions prepare and bring in the 1st; the Committee on General Statutes the 2d; the Committee on Religion and Morals the 3d and 6th; the Committee on Railroads the 4th; the Committee on Courts of Justice the 5th, and the Committee on Claims the 7th.

And then the Senate adjourned.

TUESDAY, FEBRUARY 16, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the Senate, of the following titles, viz:

An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth bordering on Green and Barren rivers, for certain purposes, etc.

An act to incorporate the International Hereford Association of Kentucky.

An act to grant certain powers and privileges to the Deuber Light Company, a corporation organized in Campbell county, under the provisions of chapter 56, of the General Statutes.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Citizens' Bank, of New Liberty.

2. An act to incorporate the Commercial Bank, of Catlettsburg.

3. An act to amend the charter of the city of Covington.

4. An act to amend an act, entitled "An act to incorporate the town of Clifton, in Jefferson county," approved April 4, 1884.

5. An act to amend an act, entitled "An act to establish the office of physician to the jail of Jefferson county."

6. An act to incorporate the town of Dunmore, in Muhlenberg county.

7. An act to amend an act, entitled "An act to incorporate the Kentucky Wagon Manufacturing Company," approved January 16, 1882.

8. An act to amend section 1, article 1, chapter 55, of the General Statutes.

9. An act to prohibit the sale of spirituous, vinous and malt liquors and mixtures of same, and all bitters and nostrums which intoxicate, in Graves county, and to provide for a vote of the legal voters of said county thereon.

10. An act concerning the county revenue of Jefferson county.

11. An act to amend the charter of the town of Water Valley, Graves county.

12. An act to amend an act, entitled "An act to incorporate the Garrard Female College," approved May 6, 1884, and to amend an act, entitled "An act for the benefit of the Garrard Female College," approved April 17, 1884.

13. An act to prohibit the selling, giving or loaning of spirituous, vinous or malt liquors at or within two miles of Knoxville Baptist Church, at Knoxville, Pendleton county.

14. An act to amend an act, entitled "An act to amend and reduce into one all the acts in regard to the town of Carrsville, in Livingston county."

Which bills were severally read the first time and ordered to be read the second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 2d to the Committee on Banks and Insurance; the 3d to the Committee on the Judiciary; the 4th and 7th to the Committee on Agriculture and Manufactures; the 5th, 6th and 11th to the Committee on Propositions and Grievances; the 8th to the Committee on General Statutes; the 9th and 13th to the Committee on Religion and Morals; the 10th to the Committee on Finance, and the 12th to the Committee on Education.

Ordered, That the 14th, the last-named bill, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Caudill, leave of absence indefinitely was granted Messrs. McDanell and Hays.

Mr. Caudill moved the following resolution, viz:

WHEREAS, The Attorney-General, by the last General Assembly, was directed to institute suit on the bond of Ralph Sheldon, late Register of the Land Office, for the amount due from him to the State, shown to be due by his official reports, as well as any balance due the State, and for which he has not accounted in his report; therefore, be it

Resolved, That the Attorney-General be, and is hereby requested, to inform this body whether he has instituted said suit, and if he has not done so, why not.

Which was twice read, and adopted.

A message was received from the House of Representatives, announcing that they had passed a resolution, which originated in the Senate, of the following title, viz:

Resolution fixing a day for the election of a Public Printer and Binder.

That they had concurred in the adoption of an amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend an act to incorporate the Presbyterian Mutual Assurance Fund, approved February 20, 1878,

With an amendment thereto,

Which was taken up, read and concurred in.

Mr. Dixon moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to incorporate the Economic Heating Company.

And the question being taken thereon, it was decided in the negative, for want of a three-fourths vote.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	F. D. Rigney,
S. H. Boles,	W. H. Frederick,	J. T. Simon,
R. A. Burnett,	G. G. Gilbert,	E. R. Sparks,
W. J. Caudill,	S. E. Hill,	W. H. Taulbee,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
F. M. Clement,	W. F. Neat,	J. N. Price—20.
Henry Dixon,	J. W. Ogilvie,	

Those who voted in the negative, were—

A. R. Byers,	H. T. Kendall,	J. R. W. Smith,
W. M. Cravens,	L. W. McKee,	Robert Walker,
J. D. Harris,	D. H. Smith,	F. T. D. Wallace—9.

The Senate, according to order, took up for consideration a bill, entitled

A bill in relation to blank books for use in the inferior courts and clerks' offices of this Commonwealth, and to provide for the payment of same.

Mr. Burnett moved to recommit said bill to the Committee on Finance.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	E. R. Sparks,
M. C. Alford,	W. H. Frederick,	W. H. Taulbee,
S. H. Boles,	J. D. Harris,	Robert Walker,
R. A. Burnett,	H. T. Kendall,	F. T. D. Wallace,
A. R. Byers,	W. F. Neat,	E. L. Worthington,
W. J. Caudill,	J. W. Ogilvie,	J. N. Price—19.
F. M. Clement,		

Those who voted in the negative, were—

G. G. Gilbert, L. M. Martin, J. T. Simon—5.
S. E. Hill, L. W. McKee,

On motion of Mr. Rigney,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the disagreement of the Senate to a bill which originated in the House of Representatives, entitled

An act to incorporate the Stanford Street Railway Company.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 15, 1886.

Gentlemen of the Senate:

I have the honor to nominate the following named persons for appointment as notaries public for the limits hereinafter designated, and respectfully ask your advice and consent thereto:

Lyttle Buchannan, Jefferson county.
John Ouerbacker, Jefferson county.
C. T. Peck, Fayette county.
John W. Carter, Daviess county.
Richard H. Gray, Kenton county.
S. C. Cardwell, Jessamine county.
Robert Cochran, Jefferson county.
Geo. H. Perkins, Bullitt county.
W. P. Emerson, Franklin county.
H. S. Rudy, Henderson county.
Luther H. Petree, Christian county.
Henry Smith, Jefferson county.
J. M. Tisdale, Kenton county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Berry, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

A bill to establish a Normal School in Bowling Green, Warren county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an institution of learning is hereby established in Bowling Green, Warren county, Kentucky, by the name and style of the Southern Normal School, which shall be under the control of J. A. Mitchell, P. J. Potter, J. M. Lyler, R. L. Dulaney, G. P. Payne, W. B. Winans, Jno. B. Gains, Wm. H. Blakely, Ed. L. Hines, H. P. Cartwright and C. G. Smallhouse and their successors, as trustees of said institution. If at any time a vacancy shall occur by death, removal or resignation, the other trustees shall name a suitable person to fill the vacancy; they shall have the power to name one of their number president of their board, and such other officers as they may deem proper; they shall have power to employ such professors of learning as they may desire to teach said normal school; they may hold annual commencements and public examinations of the pupils, and may confer such honorary degrees and diplomas as is usual in colleges in this Commonwealth. But no honorary degree shall entitle the person receiving it to be exempt from the regular examination as a teacher.

§ 2. *Be it further enacted*, That any graduate from said school holding a diploma, signed by its trustees or professors, shall be deemed qualified to teach any common school in this Commonwealth, and the same shall stand in lieu of a first-class first grade certificate as provided and required now under the common school law of Kentucky.

§ 3. *Be it further enacted*, That said normal shall receive white students of both sexes, and any degree of advancement.

§ 4. *Be it further enacted*, That this act shall take effect from and after its passage.

Mr. Feland moved to strike out the second section of said bill.

Mr. J. R. W. Smith moved the previous question,

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Feland to said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Berry and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	W. H. Taulbee—5.
John Feland,	J. R. W. Smith,	

Those who voted in the negative, were—

R. T. Albritton,	Henry Dixon,	J. N. Price,
M. C. Alford,	G. G. Gilbert,	F. D. Rigney,
S. H. Boles,	J. D. Harris,	D. H. Smith,
R. A. Burnett,	S. E. Hill,	E. R. Sparks,
A. R. Byers,	H. T. Kendall,	Robert Walker,
W. J. Caudill,	L. M. Martin,	F. T. D. Wallace,
C. M. Clay, Jr.,	L. W. McKee,	E. L. Worthington,
W. M. Cravens,	W. F. Neat,	J. W. Ogilvie—24.

Mr. Feland objected to the further reading of said bill on this day, so the same was placed in the orders of the day.

The Senate took up for consideration an amendment proposed by the House of Representatives to an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend an act to incorporate the Paducah and Illinois Bridge Company, approved April 26, 1880.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Frederick, from the Committee on Propositions and Grievances, to whom was referred leave to report a joint resolution, entitled

Resolution for the benefit of W. H. Leathers and children, of Jefferson county,

Reported the same with the expression of opinion that said resolution ought to be adopted.

And the question being taken on the adoption of said resolution it was decided in the negative.

The Senate took up for consideration a joint resolution, heretofore proposed by Mr. Clement, entitled

Resolution providing for new flag for State-house.

And the question being taken on the adoption of said resolution, and a quorum of the Senate not voting thereon,

Ordered, That said resolution be placed in the orders of the day.

The Senate took up for consideration an amendment proposed by the House of Representatives to a resolution which originated in the Senate, entitled

Resolution requesting Kentucky members of Federal Congress to use their influence to secure an appropriation from the Government to lock and dam the Licking river, in Kentucky.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Hill, from the Committee on Courts of Justice—

A bill to amend and reduce into one the several acts concerning the town of Earlington.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to amend the charter of the Central Passenger Railroad Company.

By Mr. Burnett, from the Committee on General Statutes—

A bill to authorize the voters of the city of Mayfield and within one mile thereof to vote upon the question as to whether or not spirituous, vinous or malt liquors shall be sold in said city or within one mile thereof.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Rigney—

1. A bill to amend the charter of the town of Yosemite, in Casey county.

On motion of Mr. Martin—

2. A bill to provide for vacating the charter of the Brooksville

and Claysville Turnpike Company, as to part of its turnpike road.

On motion of same—

3. A bill to authorize the Court of Claims of Harrison and Robertson counties, to provide for repairing and maintaining a part of the Brooksville and Claysville Turnpike.

On motion of Mr. Neat—

4. A bill to change the line between Adair and Russell counties.

On motion of Mr. Worthington—

5. A bill to amend the charter of DeKalb Lodge, I. O. O. F., of Maysville.

On motion of Mr. Byers—

6. A bill to regulate the sale of real and personal estates for taxes in this Commonwealth.

On motion of Mr. Gilbert—

7. A bill for the benefit of Lizzie Rutledge, wife of Thomas Rutledge, of Shelby county.

On motion of Mr. Feland—

8. A bill to amend section 553, of the Civil Code.

On motion of Mr. Ogilvie—

9. A bill to better regulate the powers of the County Court in relation to releasing old and infirm men from paying poll-tax.

On motion of Mr. Berry—

10. A bill to redistrict the city of Newport into magisterial districts.

On motion of same—

11. A bill to amend chapter 66, of the General Statutes, entitled "Landlord and Tenant."

On motion of Mr. Kendall—

12. A bill to prevent hogs from running at large in West Point and vicinity.

Ordered, That the Committee on Privileges and Elections prepare and bring in the 1st; the Committee on Judiciary the 2d and 3d; the Committee on Propositions and Grievances the 4th, 5th and 7th; the Committee on Finance the 6th; the Committee on Codes of Practice the 8th and 10th; the Committee on General Statutes the 9th, 11th and 12th.

Mr. Alford was appointed a committee upon the part of the Senate to act in conjunction with a similar committee from the

House, to withdraw, unsigned, from the hands of the Governor, a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882.

Mr. J. R. W. Smith moved that the Senate do now adjourn.

And the question being taken thereon it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. R. W. Smith,
A. S. Berry,	G. G. Gilbert,	E. R. Sparks,
S. H. Boles,	J. D. Harris,	W. H. Taulbee,
W. J. Caudill,	S. E. Hill,	E. L. Worthington,
W. M. Cravens,	L. W. McKee,	Robert Walker—17.
Henry Dixon,	J. W. Ogilvie,	

Those who voted in the negative, were—

R. T. Albritton,	H. T. Kendall,	F. D. Rigney,
R. A. Burnett,	L. M. Martin,	D. H. Smith,
F. M. Clement,	W. F. Neat,	F. T. D. Wallace—11.
John Feland,	J. N. Price,	

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 17, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Louisville City Railway Company.

An act to amend the charter of the Jefferson Railway Company, approved January 11, 1867.

That they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend and continue in force the charter of the Breckinridge Bank, at Cloverport, in Breckinridge county.

That they had passed bills of the following titles, viz:

An act to amend chapter 53, of the General Statutes, title "Idiots and Lunatics."

An act to amend chapter 104, General Statutes, title "Sureties and Co-obligors."

Which bills were read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred to the Committee on General Statutes.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed an enrolled bill and a resolution which originated in the Senate, of the following titles, viz:

An act to incorporate the Henderson Street Railway Company.

Resolution fixing the time for the election of a Public Printer and Binder.

Mr. Caudill, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act prescribing the manner of selling the sulphate and other preparations of morphine and opium in this State, and for other purposes;

An act to amend an act to incorporate the Presbyterian Assurance Fund, approved February 20, 1878.

Resolution providing for firing a National salute on the twenty-second of February, 1886;

And an enrolled bill and a resolution which originated in the Senate of the following titles, viz:

An act to grant certain powers and privileges to the Deuber

Light Company, a corporation organized in Campbell county, under the provisions of chapter 56, of the General Statutes;

Resolution fixing the time for electing the Public Printer and Binder;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Caudill reported that the committee had performed that duty.

Mr. Clement, from the Committee on Federal Relations, to whom was referred leave to bring in a bill, entitled

A bill to amend the charter of the town of Yosemite, in Casey county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Harris read and laid on the table the following joint resolution, viz:

WHEREAS, Various charges affecting the good conduct and management of the Eastern Lunatic Asylum, and also the reputation of the Superintendent have been made; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of two members of the Senate and three of the House of Representatives be appointed to investigate such charges; that said committee have power to send for persons and papers, and take all necessary proof, and report to this General Assembly the result of their investigation.

The rule of the Senate requiring a joint resolution to lie one

day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

Mr. Feland moved the following resolution, viz:

Resolved, That the committee appointed by the Senate to investigate the charges against Senator S. H. Boles be directed to require of the persons writing, publishing the charges against him and the subsequent explanation, to disclose the names of all persons who, as they claim, gave them the information, or any of it, on which their main publications were based, and should such persons, or either of them, refuse to disclose the names of such informants, the committee will immediately report the facts to the Senate for further action.

Which was twice read, and adopted.

On motion of Mr. Price, Messrs. Neat, Clay and Frederick were added to the special committee appointed to investigate charges against Senator Boles.

Mr. Martin presented the petition of certain citizens of Boyle county, praying the passage of an act continuing the Superior Court.

Which was received, the reading dispensed with, and referred to the Committee on General Statutes.

Mr. Simon presented the remonstrance of certain citizens of the town of Knoxville, Pendleton county, against the passage of an act to prohibit the sale of vinous, spirituous and malt liquors in said town.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

On motion of Mr. Neat, leave of absence indefinitely was granted Mr. Rigney.

Mr. Wallace reported a bill, entitled

A bill to amend sections 11, 12 and 19, of article 12, chapter 33, General Statutes.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wallace,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday, February 26th, at 11 o'clock A. M., and from day to day until disposed of.

The Senate, according to order, took up for consideration a bill, entitled

A bill to repeal all laws providing for the election of Warden of the Penitentiary by the General Assembly, and providing for the compensation of the present Warden and the election of Wardens in future by the Commissioners of the Sinking Fund.

On motion of Mr. J. R. W. Smith,

Ordered, That the further consideration of said bill be postponed until to morrow at 11 o'clock A. M.

Mr. Hays read and laid on the table the following joint resolution, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That a special committee be appointed by the Speaker of the Senate to confer with a committee appointed by the Speaker of the House, composed of five members thereof, and if possible, agree upon a bill that will allow the Warden, South, the amount due him for past services as Warden, and provide for his resignation and the creation of a Board of Commissioners, investing said board with the power hereafter to appoint the future Wardens and with the power to remove him for such reasons as to them may seem just. And that said joint conference committee report as soon as possible to their respective Houses for appropriate action.

Which, under the rule, lies one day on the table.

Mr. D. H. Smith moved to suspend the rule and take up said resolution for consideration.

And the question being taken thereon, it was decided in the affirmative.

Mr. Clay proposed the following amendment as a substitute for said resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee, composed of three members of the Senate and five members of the House of Representatives, be appointed to consider the Penitentiary question and report by bill as soon as possible.

Mr. Gilbert moved to lay said resolution and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Boles, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	Henry Dixon,	S. E. Hill,
J. W. Bryan,	G. G. Gilbert,	F. T. D. Wallace—6.

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	J. T. Simon,
S. H. Boles,	J. D. Harris,	D. H. Smith,
R. A. Burnett,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	E. R. Sparks,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	J. H. McDanell,	R. S. Triplett,
F. M. Clement,	W. F. Neat,	E. L. Worthington,
W. M. Cravens,	J. W. Ogilvie,	J. N. Price—25.
John Feland,		

The question was then taken upon the adoption of the amendment proposed as a substitute for said resolution, and it was decided in the affirmative.

The question was then taken upon the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hays and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	D. H. Smith,
S. H Boles,	John Feland,	J. R. W. Smith,
J. W. Bryan,	W. H. Frederick,	E. R. Sparks,
R. A. Burnett,	J. D. Harris,	W. H. Taulbee,
C. M. Clay, Jr.,	L. M. Martin,	R. S. Triplett,
F. M. Clement,	W. F. Neat,	E. L. Worthington,
W. M. Cravens,	J. N. Price,	J. T. Simon—21.

Those who voted in the negative, were—

M. C. Alford,	R. G. Hays,	J. H. McDanell,
A. R. Byers,	S. E. Hill,	L. W. McKee,
W. J. Caudill,	H. T. Kendall,	J. W. Ogilvie—10.
G. G. Gilbert,		

Resolved, That the title of said resolution be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Clay—

1. A bill to authorize the Bourbon County Court to pay Circuit Clerk for continuing index and cross-index to suits.

On motion of same—

2. A bill to amend the charter of the Bourbon County Agricultural and Mechanical Association.

On motion of Mr. Wallace—

3. A bill to amend sections 11, 12 and 19, of article 12, chapter 33, General Statutes.

On motion of Mr. McKee—

4. A bill to amend the several acts in relation to the town of Lawrenceburg.

On motion of Mr. D. H. Smith—

5. A bill to include the farm of Elijah Hodges, in Larue county.

On motion of Mr. Cravens—

6. A bill to incorporate the Sulphur Deposit Bank, of Sulphur.

On motion of same—

7. A bill to incorporate the Natural Gas Fuel and Salt Company, of Sulphur, Kentucky.

On motion of Mr. Feland—

8. A bill to repeal an act to declare and amend the law relative to principals and factors or agents.

On motion of Mr. J. R. W. Smith—

9. A bill to incorporate the Frankfort City Railway Company.

On motion of same—

10. A bill defining the jurisdiction of the Jefferson Circuit Court in cases of misdemeanors.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 7th; the Committee on Internal Improvements the 2d; the Committee on General Statutes the 3d, 4th, 5th and 8th; the Committee on Banks and Insurance the 6th; the Committee on Railroads the 9th, and the Committee on the Judiciary the 10th.

And then the Senate adjourned.

THURSDAY, FEBRUARY 18, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, asking to withdraw the announcement of the passage by the House of Representatives of a bill which originated in that body, entitled

An act to amend chapter 53, of the General Statutes, title "Idiots and Lunatics."

Which was granted, and the bill delivered to the messenger.

On motion of Mr. D. H. Smith, leave of absence, indefinitely, was granted Messrs. McKee, Feland and Albritton.

Mr. Martin moved to reconsider the vote by which the Senate adopted a joint resolution, entitled

Resolution creating joint committee of conference upon the Penitentiary, etc.

Which motion was simply entered.

Mr. Wallace moved to reconsider the vote by which the Senate postponed, and made the special order of the day for February 26th, at 11 o'clock A. M., a bill, entitled

A bill to amend sections 11, 12 and 19, of article 12, chapter 33, General Statutes.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Wallace,

Ordered, That said bill be printed and referred to the Committee on General Statutes.

Mr. Neat, from the Committee on Enrollments, reported that the Committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend and continue in force the charter of the Breckinridge Bank, at Cloverport, in Breckinridge county;

An act to amend the charter of Bardstown, in the county of Nelson;

An act to incorporate and establish a system of public schools in the town of Elkton, and within a radius of three miles of the court-house in said town;

An act to amend an act to incorporate the Paducah and Illinois Bridge Company, approved April 26, 1880;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth, bordering on Green and Barren rivers, for certain purposes;

An act to create the Newport Fire and Police District, in Campbell county, and to provide for the government thereof;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Frederick, from the Committee on Agriculture and Manufactures, to whom had been referred the nomination by the Governor of Trustees of the Agricultural and Mechanical College of Kentucky (see Senate Journal of February 12th), reported back the same with the expression of opinion that said nominations be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

So said nominations were advised and consented to.

Mr. Gilbert read and laid on the table a joint resolution, entitled

Joint resolution requesting the Governor to inform the General Assembly whether the banks have fixed rates of exchange and make monthly reports thereof as required by law.

Which, under the rule, lies over one day.

On motion of Mr. Gilbert,

The rule was suspended, and said resolution was taken up and referred to the Committee on Banks and Insurance.

Mr. Martin read and laid on the table a joint resolution, entitled

Resolution to pay for services of slaves.

Which, under the rule, lies over one day.

On motion of Mr. Martin, the rule was suspended, and said resolution was taken up and referred to the Committee on Federal Relations.

Mr. McDanell, from the Committee on Banks and Insurance, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Citizens' Bank, of New Liberty,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cravens asked the appointment of a committee to withdraw from the House of Representatives the announcement of the passage by the Senate of bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend, digest and reduce into one, all the acts incorporating the city of Lexington," approved April 19, 1882.

An act to establish the Lexington Police and Fire District, in Fayette county, and to provide for the government thereof.

Which motion was simply entered.

The Senate, according to order, took up for consideration a bill, entitled

An act to repeal all laws providing for the election of Warden of the Penitentiary by the General Assembly, and providing for the compensation of the present Warden and the election of Wardens in future by the Commissioners of the Sinking Fund.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 2 of an act, entitled "An act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 3, 1880, be, and the same is hereby, repealed, and the term of the present Warden of the said Penitentiary shall cease and determine ten days after the date on which this act takes effect.

§ 2. That the present Warden of the Kentucky Penitentiary be, and he is hereby, allowed the salary provided for under and by virtue of the provisions of the twenty-first (21st) section of

the said act, approved May 3, 1880, from the ——— day of ———, 1884, to that date which falls ten days after the date this act takes effect, and the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasury therefor in favor of the said Warden.

§ 3. A Warden of the Penitentiary shall be elected by the Commissioners of the Sinking Fund as *ex officio* directors of the said Penitentiary, who shall hold his office for the term of four years, commencing ten days after this act takes effect; and the said Commissioners shall have the power, in their discretion, to remove any Warden and appoint or elect his successor, and the action of the said Commissioners thereon shall be final and conclusive. Before entering on the discharge of the duties of the office the Warden shall take the constitutional oath and execute a covenant to the Commonwealth of Kentucky in the sum of thirty thousand dollars ($30,000), with two or more good sureties, to be approved by said Commissioners—whose duty it shall be to take said bond, and shall file the same with the Secretary of State for safe-keeping—to the effect that he, as Warden, shall faithfully, well and truly discharge and perform all of the duties required of him and all the obligations imposed upon him according to law, and that he shall faithfully account for all money that may come to his hands and pay the same into the State Treasury in the manner provided in the said act of May 3, 1880; and that he shall faithfully account for all the property in his hands, or under his control, belonging to the State when he ceases to be Warden, or is required to do so by said Commissioners; and if at any time the Commissioners shall deem the sureties on the bond of the Warden insufficient, it shall be their duty to require him to give an additional bond, with sufficient security, which additional bond shall in nowise impair, lessen or affect the liability of the sureties on the original bond to the Commonwealth; and if said Warden declines, neglects or fails to give such additional bond within thirty (30) days after the said Commissioners serve notice on him requiring him to do so, they shall declare the office of Warden vacant, and shall fill the vacancy by appointment, as herein provided.

§ 4. This act shall take effect from and after its passage.

Mr. Bryan had heretofore proposed an amendment as a substitute for said bill, which reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 2 of said act be, and the same is hereby, repealed.

§ 2. That the offices of Warden and Deputy Warden of the Penitentiary be, and they are hereby, abolished, and the offices of Superintendent and Deputy Superintendent of the Penitentiary are created.

§ 3. That said original act, approved May 3, 1880, be amended by striking out thereof the word Warden wherever it occurs,

and inserting in lieu thereof the word Superintendent, and by striking out of said act the words Deputy Warden wherever they occur, and inserting in lieu thereof the words Deputy Superintendent.

§ 4. That the Sinking Fund Commissioners shall select a Superintendent of the Kentucky Penitentiary, who shall hold his office at the pleasure of the said Sinking Fund Commissioners. Before entering upon the discharge of the duties of the office of Superintendent he shall take the constitutional oath and execute a covenant to the Commonwealth of Kentucky in the sum of $30,000, with two or more good securities, to be approved by said Commissioners, whose duty it shall be to take said bond and shall file the same with the Secretary of State for safe-keeping, to the effect that he, as Superintendent, shall faithfully, well and truly discharge and perform all the duties required of him, and all the obligations imposed upon him according to law, and that he shall faithfully account for all money that may come to his hands, and pay the same into the State Treasury in the manner provided for in said original act, and that he shall faithfully account for all the property in his hands or under his control belonging to the State when he ceases to be Superintendent, or is required to do so by said Commissioners, and if at any time the said Commissioners shall deem the sureties on the bond of the Superintendent insufficient, it shall be their duty to require him to give an additional bond, with sufficient security, which additional bond shall in nowise impair, lessen or affect the liability of the sureties on the original bond to the Commonwealth.

§ 5. This act shall take effect and be in force from and after its passage.

Mr. D. H. Smith moved to amend said proposed substitute as follows, viz:

Amend by adding to the first section thereof the following words, to wit: "The Auditor shall draw his warrant in favor of W. T. B. South on the State Treasury for an amount equal to the net balance of salary that would be due to said South had he discharged the duties of Warden continuously up to his removal or resignation under this act.

Pending the consideration of said bill and proposed amendments the hour of 12 o'clock M. having arrived, further action thereon was cut off by the joint order of the day.

At the hour of 12 o'clock M., the Speaker announced that the hour had now arrived for the execution of the joint order of the day, the election of a Public Printer and Binder.

Whereupon, the Speaker appointed Messrs. Price and Hays a committee to inform the House of Representatives that the Sen-

ate was now ready to proceed to the execution of the joint order of the day.

After a short time Mr. Hays reported that the committee had performed that duty.

A message was received from the House of Representatives by Messrs. Nell and Jackson, announcing that they were now ready to proceed to the execution of the joint order of the day.

The hour of 12 o'clock M. having arrived, the Speaker of the Senate announced that the Senators would now repair to the hall of the House of Representatives for the purpose of electing a Public Printer and Binder to succeed the Hon. John D. Woods, whose term of office expires on the second day of August, 1886.

The Speaker of the Senate, at the time designated, took the chair and called the joint assembly to order.

The roll of the two Houses was then called and the following Senators and Representatives responded to the call, viz:

A. S. Berry,	A. J. Bradford,	E. M. Nell,
S. H. Boles,	J. F. Bullitt, Jr.,	J. J. Nesbitt,
J. W. Bryan,	P. A. Cline,	Samuel O. Nunn,
R. A. Burnett,	Reuben Connor,	W. C. Owens,
W. W. Bush,	Wm. T. Cox,	W. R. Ramsey,
A. R. Byers,	Jas. W. Crain,	Joseph B. Read,
W. J. Caudill,	John H. Crain,	Wm. M. Reed,
C. M. Clay, Jr.,	R. W. Creal,	Adam Renaker,
F. M. Clement,	J. E. Crider,	J. F. Rennick,
W. M. Cravens,	Thos. A. Davis,	Gus W. Richardson,
Henry Dixon,	J. M. Dawson, Jr.,	W. M. Riggs,
W. H. Frederick,	James Denton,	John W. Rowlett,
G. G. Gilbert,	W. W. Dickerson,	G. W. Samuels,
J. D. Harris,	H. H. Gambill,	M. H. Scott,
R. G. Hays,	T. T. Gardner,	A. R. Shacklett,
S. E. Hill,	Phil. B. Gernert, Jr.,	Ira F. Sharon,
H. T. Kendall,	Drury S. Godsey,	John A. Shaw,
L. M. Martin,	A. P. Gooding,	J. H. Shearer,
J. H. McDanell,	Harry C. Gorin,	George Smith,
W. F. Neat,	Thomas A. Harris,	I. A. Spalding,
J. W. Ogilvie,	J. B. Hayden,	J. Boyle Stone,
J. N. Price,	W. C. Haydon,	F. P. Straus,
J. T. Simon,	Jacob Hoertz,	R. H. Taylor,
D. H. Smith,	W. L. Jackson, Jr.,	G. Terry,
J. R. W. Smith,	Ben Johnson,	W. T. Tevis,
E. R. Sparks,	Hiram L. Jones,	R. Y. Thomas, Jr.,
W. H. Taulbee,	Richard A. Jones,	P. B. Thompson, Sr.,
R. S. Triplett,	Wright Kelly,	Wm. P. Thorne,
Robert Walker,	B. C. Keys,	D. L. Thornton,

F. T. D. Wallace,
J. H. Wilson,
E. L. Worthington,
Mr. Speaker (Offutt),
D. B. Allen,
W. A. Anderson,
Farish Arnett,
S. L. Bays,
Geo. T. Blakey,
Chas. Blanford,
Fontaine F. Bobbitt,
L. T. Bow,
Wm. Bowman,
John M. Letterle,
John B. Litsey,
Wm. Lostutter,
J. H. Lunsford,
S. I. M. Major,
L. F. Mann,
D. C. May,
J. W. Mayo,
T. J. McElrath,
Wm. Merideth,
A. J. Morehead,
Thos. E. Moss,
B. A. Neale,
W. A. Wallace,
R. N. Wathen,
Thos. L. Watson,
W. J. Watson,
W. C. Webb,
Daniel M. Williams,
Jesse S. Williams,
W. B. Wilson,
Jas. F. Winn,
H. B. Wiseman,
W. J. Worthington,
T. C. Wolking—125.

Whereupon Mr. J. R. W. Smith nominated Mr. John D. Woods, of Bowling Green, as a suitable person to fill the office of Public Printer and Binder.

The Speaker then announced that the Clerks would now proceed to take the joint vote of the two Houses upon the nomination before mentioned for the office of Public Printer and Binder, and the vote being taken, stood thus:

In the Senate—

Those who voted for Mr. Woods, were—

A. S. Berry,
S. H. Boles,
J. W. Bryan,
R. A. Burnett,
W. W. Bush,
A. R. Byers,
W. J. Caudill,
C. M. Clay, Jr.,
F. M. Clement,
W. M. Cravens,
Henry Dixon,
W. H. Frederick,
G. G. Gilbert,
J. D. Harris,
R. G. Hays,
S. E. Hill,
H. T. Kendall,
L. M. Martin,
J. H. McDanell,
W. F. Neat,
J. W. Ogilvie,
J. N. Price,
J. T. Simon,
D. H. Smith,
J. R. W. Smith,
E. R. Sparks,
W. H. Taulbee,
R. S. Triplett,
Robert Walker,
F. T. D. Wallace,
E. L. Worthington,
J. H. Wilson—32.

In the House of Representatives—

Those who voted for Mr. Woods, were—

D. B. Allen,
W. A. Anderson,
Farish Arnett,
S. L. Bays,
Geo. T. Blakey,
Chas. Blanford,
Fontaine F. Bobbitt,
Wm. Bowman,
A. J. Bradford,
Wm. L. Jackson, Jr.,
Ben Johnson,
Richard A. Jones,
Wright Kelly,
B. C. Keys,
John M. Letterle,
John B. Litsey,
Wm. Lostutter,
J. H. Lunsford,
G. W. Samuels,
M. H. Scott,
A. R. Shacklett,
Ira F. Sharon,
Jno. A. Shaw,
George Smith,
I. A. Spalding,
J. Boyle Stone,
F. P. Straus,

J. F. Bullitt, Jr.,
P. A. Cline,
Reuben Connor,
Wm. T. Cox,
Jas. W. Crain,
John H. Crain,
R. W. Creal,
J. E. Crider,
Thos. A. Davis,
J. M. Dawson, Jr.,
W. W. Dickerson,
H. H. Gambill,
T. T. Gardner,
Phil. B. Gernert, Jr.,
Drury S. Godsey,
A. P. Gooding,
Harry C. Gorin,
Thos. A. Harris,
J. B. Hayden,
W. C. Haydon,
Jacob Hoertz,
S. I. M. Major,
L. F. Mann,
D. C. May,
J. W. Mayo,
T. J. McElrath,
Wm. Merideth,
A. J. Morehead,
Thos. E. Moss,
B. A. Neale,
J. J. Nesbitt,
Jno. P. Newman,
Samuel O. Nunn,
W. C. Owens,
W. R. Ramsey,
Joseph B. Read,
Wm. M. Reed,
Adam Renaker,
J. F. Rennick,
Gus W. Richardson,
John W. Rowlett,
R. H. Taylor,
G. Terry,
W. T. Tevis,
R. Y. Thomas, Jr.,
P. B. Thompson, Sr.,
Wm. P. Thorne,
D. L. Thornton,
Wm. A. Wallace,
R. N. Wathen,
Thos. L. Watson,
W. J. Watson,
W. C. Webb,
Daniel M. Williams,
Jesse S. Williams,
W. B. Wilson,
Jas. F. Winn,
H. B. Wiseman,
W. J. Worthington,
Mr. Speaker (Offutt),
T. C. Wolking—88.

Whereupon the Speaker announced that Mr. John D. Woods, having received a majority of all the votes cast, and of all the members elected to each House, was duly elected Public Printer and Binder for the term of two years, commencing on the second of August, 1886.

Mr. D. H. Smith moved that the Joint Assembly do now dissolve.

And the question being taken thereon, it was decided in the affirmative.

The Senators then repaired to the Senate Chamber, the Speaker resumed the chair, and called the Senate to order.

The Senate resumed the consideration of a bill, entitled

A bill to repeal all laws providing for the election of Warden of the Penitentiary by the General Assembly, and providing for the compensation of the present Warden and the election of Wardens in future by the Commissioners of the Sinking Fund.

Mr. Simon moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. D. H. Smith to the amendment proposed by Mr. Bryan as a substitute for said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	D. H. Smith,
S. H. Boles,	H. T. Kendall,	J. R. W. Smith,
R. A. Burnett,	J. H. McDanell,	E. R. Sparks,
A. R. Byers,	W. F. Neat,	W. H. Taulbee,
W. J. Caudill,	J. W. Ogilvie,	R. S. Triplett,
W. M. Cravens,	J. N. Price,	J. H. Wilson—19.
W. H. Frederick,		

Those who voted in the negative, were—

J. W. Bryan,	J. D. Harris,	F. T. D. Wallace,
F. M. Clement,	S. E. Hill,	E. L. Worthington,
Henry Dixon,	L. M. Martin,	J. T. Simon—10.
G. G. Gilbert,		

The question was then taken on the adoption of the amendment, as amended, proposed by Mr. Bryan as a substitute for the bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Simon, were as follows, viz:

Those who voted in the affirmative, were—

G. G. Gilbert,	J. R. W. Smith,	R. S. Triplett—3.

Those who voted in the negative, were—

A. S. Berry,	W. H. Frederick,	J. T. Simon,
S. H. Boles,	J. D. Harris,	D. H. Smith,
J. W. Bryan,	R. G. Hays,	E. R. Sparks,
R. A. Burnett,	S. E. Hill,	W. H. Taulbee,
A. R. Byers,	H. T. Kendall,	F. T. D. Wallace,
W. J. Caudill,	L. M. Martin,	J. H. Wilson,
C. M. Clay, Jr.,	J. H. McDanell,	E. L. Worthington,
F. M. Clement,	J. W. Ogilvie,	J. N. Price—25.
W. M. Cravens,		

By unanimous consent Mr. Berry was permitted to offer the following amendment as a substitute for said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of State be, and he is hereby directed to draw his warrant in favor of W. T. B. South, Warden of the Kentucky Penitentiary, for his salary as Warden to the date of the passage of this act. The amount of said warrant shall be equal to his salary from the time of his election to the passage of this act, minus any amount that has been paid said South as Warden.

§ 2. That from and after the fifteenth day of March, 1886, the Sinking Fund Commissioners shall have full authority to appoint and remove the Warden of the Penitentiary, and all acts, or part of acts in conflict herewith, are hereby repealed.

§ 3. This act shall take effect from its passage.

And the question being taken on the adoption of said proposed substitute, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	D. H. Smith,
S. H. Boles,	G. G. Gilbert,	J. R. W. Smith,
R. A. Burnett,	W. F. Neat,	W. H. Taulbee,
A. R. Byers,	J. W. Ogilvie,	R. S. Triplett,
W. J. Caudill,	J. N. Price,	J. H. Wilson—16.
W. M. Cravens,		

Those who voted in the negative, were—

J. W. Bryan,	R. G. Hays,	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	F. T. D. Wallace,
F. M. Clement,	H. T. Kendall,	E. L. Worthington,
J. D. Harris,	L. M. Martin,	J. H. McDanell—12.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative, for want of a constitutional majority.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	D. H. Smith,
S. H. Boles,	G. G. Gilbert,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. W. Ogilvie,	J. H. Wilson—17.
W. M. Cravens,	J. N. Price,	

Those who voted in the negative, were—

J. W. Bryan,	S. E. Hill,	F. T. D. Wallace,
C. M. Clay, Jr.,	H. T. Kendall,	E. L. Worthington,
F. M. Clement,	L. M. Martin,	J. T. Simon—11.
J. D. Harris,	J. H. McDanell,	

So said bill was rejected.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Bryan—

1. A bill for the government of political primary elections, mass meetings and conventions held under the provisions thereof in Kenton county.

On motion of Mr. Clay—

2. A bill to amend an act establishing a system of public graded schools in the city of Mt. Sterling, approved April 15, 1884.

On motion of Mr. J. R. W. Smith—

3. A bill to incorporate the Ohio Valley Telephone Company.

On motion of Mr. Dixon—

4. A bill to establish a system of common schools in the town of Dixie, in Henderson county.

On motion of Mr. Price—

5. A bill for the benefit of Mt. Carmel precinct, in Fleming county.

On motion of Mr. Byers—

6. A bill to incorporate the Hawesville and Pelleville Mineral Road Company, in Hancock county.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Education the 2d and 4th; the Committee on General Statutes the 3d; the Committee on Religion and Morals the 5th, and the Committee on Internal Improvements the 6th.

On motion of Mr. Bryan the Senate then adjourned.

FRIDAY, FEBRUARY 19, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to incorporate the Citizens' Bank, of New Liberty.

That they had concurred in the adoption of resolutions which originated in the Senate, of the following titles, viz:

Resolution directing the Committee on the Judiciary of the two Houses to report as to the constitutionality of increasing the judicial districts of the State.

Joint resolution to appoint a committee to investigate charges affecting the management of the Eastern Lunatic Asylum.

That they had passed bills and adopted resolutions of the following titles, viz:

1. An act for the benefit of Robert Greenwell, of Bullitt county.

2. An act for the benefit of William Dawson, of Bullitt county.

3. An act for the benefit of Mrs. Mattie Bennett, of Henry county.

4. An act for the benefit of E. H. C. Hill, of Bullitt county.

5. Resolution authorizing the Adjutant-General to loan guns to Major Harris Post, Grand Army Republic, at Augusta, Kentucky.

6. Resolution asking our Representatives in Congress to use their influence in the passage of a certain bill pending in Congress.

7. Resolution extending the present session of the General Assembly.

Which bills and resolutions were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolutions being dispensed with,

They were referred—the 1st, 2d, 3d and 4th to the Committee on Claims; the 5th to the Committee on Military Affairs; the 6th to the Committee on Federal Relations.

Mr. Caudill moved to suspend the rules and take up the 7th and last-named resolution for consideration.

And the question being taken thereon, it was decided in the affirmative.

Said resolution was then taken up and read as follows, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the present term of the General Assembly be, and the same is hereby, extended beyond the constitutional limit.

Mr. Hill moved to amend said resolution by adding thereto the following words: "until the fifteenth of March next."

And the question being taken thereon, it was decided in the negative.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the negative for want of the constitutional majority.

The yeas and nays being required thereon by Messrs. Bryan and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	R. G. Hays,	F. D. Rigney,
A. S. Berry,	H. T. Kendall,	D. H. Smith,
R. A. Burnett,	L. M. Martin,	J. R. W. Smith,
A. R. Byers,	J. H. McDanell,	W. H. Taulbee,
W. J. Caudill,	L. W. McKee,	R. S. Triplett,
C. M. Clay, Jr.,	W. F. Neat,	F. T. D. Wallace,
W. M. Cravens,	J. W. Ogilvie,	E. L. Worthington,
Henry Dixon,	J. N. Price,	J. H. Wilson—25.
W. H. Frederick,		

Those who voted in the negative, were—

J. W. Bryan,	G. G. Gilbert,	J. T. Simon—5.
F. M. Clement,	S. E. Hill,	

So said resolution was disagreed to.

A message was received from the House of Representatives, asking to withdraw the announcement of the passage by the House of Representatives of a bill which originated in the Senate, entitled

An act to amend the charter of the Jefferson Railway Company, approved January 11, 1867.

Which was granted, and the bill delivered to the messenger.

Mr. Kendall, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to prevent hogs from running at large in West Point and vicinity, in Hardin and Meade counties,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend and reduce into one all the acts in regard to the town of Carrsville, in Livingston county;"

An act to establish the Lexington Police and Fire District, in Fayette county, and to provide for the government thereof;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Clay moved to reconsider the vote by which the Senate had rejected a bill, entitled

An act to repeal all laws providing for the election of Warden of the Penitentiary by the General Assembly, and providing for the compensation of the present Warden and the election of Wardens in future by the Commissioners of the Sinking Fund.

[*For bill, see Senate Journal of yesterday.*]

Mr. Bryan moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Berry, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan, J. N. Price, F. T. D. Wallace—5.
F. M. Clement, D. H. Smith,

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	W. F. Neat,
A. S. Berry,	G. G. Gilbert,	J. W. Ogilvie,
S. H. Boles,	J. D. Harris,	F. D. Rigney,
R. A. Burnett,	R. G. Hays,	J. T. Simon,
A. R. Byers,	S. E. Hill,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
C. M. Clay, Jr.,	L. M. Martin,	R. S. Triplett,
W. M. Cravens,	J. H. McDanell,	E. L. Worthington,
Henry Dixon,	L. W. McKee,	J. H. Wilson—27.

The question was then taken on the motion to reconsider the vote by which the Senate had rejected said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	W. F. Neat,
A. S. Berry,	G. G. Gilbert,	J. W. Ogilvie,
S. H. Boles,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	L. M. Martin,	R. S. Triplett,
C. M. Clay, Jr.,	J. H. McDanell,	E. L. Worthington,
W. M. Cravens,	L. W. McKee,	J. H. Wilson—25.
Henry Dixon,		

Those who voted in the negative, were—

J. W. Bryan,	J. N. Price,	F. T. D. Wallace—5.
F. M. Clement,	D. H. Smith,	

Mr. Gilbert moved to reconsider the third reading of said bill, as also the vote ordering it to a third reading.

And the question being taken thereon, it was decided in the affirmative.

Mr. Gilbert moved to reconsider the vote by which the amendment proposed by Mr. Berry as a substitute for said bill was adopted.

[*For substitute, see Senate Journal of yesterday.*]

Mr. D. H. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan, F. M. Clement, D. H. Smith—3.

Those who voted in the negative, were—

A. S. Berry, S. H. Boles, R. A. Burnett, A. R. Byers, W. J. Caudill, W. M. Cravens, W. H. Frederick, G. G. Gilbert, J. D. Harris, R. G. Hays, S. E. Hill, H. T. Kendall, L. M. Martin, J. H. McDanell, L. W. McKee, W. F. Neat, J. W. Ogilvie, J. N. Price, F. D. Rigney, J. R. W. Smith, W. H. Taulbee, R. S. Triplett, F. T. D. Wallace, E. L. Worthington, J. H. Wilson—25.

Mr. Bryan moved that the motion made by Mr. Gilbert to reconsider the vote by which the amendment proposed by Mr. Berry as a substitute for said bill was adopted be postponed until Tuesday next, February 23d, at 11 o'clock A. M.

Mr. J. R. W. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Triplett, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry, S. H. Boles, R. A. Burnett, A. R. Byers, W. J. Caudill, F. M. Clement, W. M. Cravens, W. H. Frederick, J. D. Harris, R. G. Hays, S. E. Hill, H. T. Kendall, J. H. McDanell, W. F. Neat, J. W. Ogilvie, F. D. Rigney, J. R. W. Smith, W. H. Taulbee, R. S. Triplett, F. T. D. Wallace, E. L. Worthington, J. H. Wilson—22.

Those who voted in the negative, were—

M. C. Alford, J. W. Bryan, C. M. Clay, Jr., G. G. Gilbert, L. M. Martin, L. W. McKee, J. N. Price, J. T. Simon, D. H. Smith—9.

The question then recurred on the motion made by Mr. Gilbert to reconsider the vote by which the amendment proposed by Mr. Berry as a substitute for said bill was adopted.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Hays, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, G. G. Gilbert, J. W. Ogilvie,
A. S. Berry, J. D. Harris, F. D. Rigney,
S. H. Boles, R. G. Hays, J. T. Simon,
R. A. Burnett, S. E. Hill, J. R. W. Smith,
A. R. Byers, H. T. Kendall, W. H. Taulbee,
W. J. Caudill, L. M. Martin, R. S. Triplett,
C. M. Clay, Jr., J. H. McDanell, E. L. Worthington,
W. M. Cravens, L. W. McKee, J. H. Wilson—25.
W. H. Frederick,

Those who voted in the negative, were—

J. W. Bryan, D. H. Smith, F. T. D. Wallace—4.
F. M. Clement,

The question pending being on the adoption of the amendment proposed by Mr. Berry as a substitute for said bill.

Mr. Berry moved to lay said bill and proposed amendment as a substitute therefor on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry, F. M. Clement, D. H. Smith—4.
J. W. Bryan,

Those who voted in the negative, were—

M. C. Alford, J. D. Harris, J. N. Price,
S. H. Boles, R. G. Hays, F. D. Rigney,
R. A. Burnett, S. E. Hill, J. T. Simon,
A. R. Byers, H. T. Kendall, J. R. W. Smith,
W. J. Caudill, L. M. Martin, W. H. Taulbee,
C. M. Clay, Jr., J. H. McDanell, R. S. Triplett,
W. M. Cravens, L. W. McKee, F. T. D. Wallace,
Henry Dixon, W. F. Neat, E. L. Worthington,
W. H. Frederick, J. W. Ogilvie, J. H. Wilson—28.
G. G. Gilbert,

Mr. Clay moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	W. F. Neat,
A. S. Berry,	G. G. Gilbert,	J. W. Ogilvie,
J. W. Bryan,	J. D. Harris,	J. N. Price,
C. M. Clay, Jr.,	S. E. Hill,	J. T. Simon,
F. M. Clement,	L. M. Martin,	E. L. Worthington,
Henry Dixon,	J. H. McDanell,	D. H. Smith—18.

Those who voted in the negative, were—

S. H. Boles,	R. G. Hays,	W. H. Taulbee,
R. A. Burnett,	H. T. Kendall,	R. S. Triplett,
A. R. Byers,	L. W. McKee,	F. T. D. Wallace,
W. J. Caudill,	F. D. Rigney,	J. H. Wilson—14.
W. M. Cravens,	J. R. W. Smith,	

Mr. Bryan moved to reconsider the vote by which the main question was ordered.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Bryan were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	J. D. Harris,	J. T. Simon,
J. W. Bryan,	R. G. Hays,	J. R. W. Smith,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	J. H. McDanell,	R. S. Triplett,
W. J. Caudill,	L. W. McKee,	F. T. D. Wallace,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—18.

Those who voted in the negative, were—

M. C. Alford,	S. E. Hill,	F. D. Rigney,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
Henry Dixon,	W. F. Neat,	D. H. Smith—11.
G. G. Gilbert,	J. N. Price,	

Mr. D. H. Smith moved that the further consideration of said bill and proposed amendment as a substitute therefor be postponed, and that said bill be made the special order of the day for Wednesday, February 24th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Taulbee were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan, W. F. Neat, J. T. Simon,
F. M. Clement, J. N. Price, D. H. Smith—7.
L. W. McKee,

Those who voted in the negative, were—

A. S. Berry, W. H. Frederick, F. D. Rigney,
S. H. Boles, G. G. Gilbert, J. R. W. Smith,
R. A. Burnett, J. D. Harris, W. H. Taulbee,
A. R. Byers, S. E. Hill, R. S. Triplett,
W. J. Caudill, H. T. Kendall, F. T. D. Wallace,
C. M. Clay, Jr., J. H. McDanell, E. L. Worthington,
W. M. Cravens, J. W. Ogilvie, J. H. Wilson—22.
Henry Dixon,

Pending the further consideration of said bill the hour of 12 o'clock M. having arrived, further action thereon was cut off.

Mr. Burnett moved to suspend the consideration of bills in the orders of the day.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, G. G. Gilbert, J. W. Ogilvie,
A. S. Berry, J. D. Harris, F. D. Rigney,
S. H. Boles, R. G. Hays, J. R. W. Smith,
R. A. Burnett, S. E. Hill, W. H. Taulbee,
A. R. Byers, H. T. Kendall, R. S. Triplett,
W. J. Caudill, J. H. McDanell, F. T. D. Wallace,
C. M. Clay, Jr., L. W. McKee, E. L. Worthington,
Henry Dixon, W. F. Neat, J. H. Wilson—25.
W. H. Frederick,

Those who voted in the negative, were—

J. W. Bryan, L. M. Martin, D. H. Smith—5.
F. M. Clement, J. T. Simon,

Mr. Bryan moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, F. M. Clement, D. H. Smith—5.
J. W. Bryan, J. D. Harris,

Those who voted in the negative, were—

A. S. Berry, R. G. Hays, J. T. Simon,
S. H. Boles, S. E. Hill, J. R. W. Smith,
R. A. Burnett, H. T. Kendall, W. H. Taulbee,
A. R. Byers, L. M. Martin, R. S. Triplett,
W. J. Caudill, J. H. McDanell, F. T. D. Wallace,
C. M. Clay, Jr., L. W. McKee, J. H. Wilson,
W. M. Cravens, W. F. Neat, E. L. Worthington,
Henry Dixon, J. W. Ogilvie, F. D. Rigney—25.
W. H. Frederick,

Mr. D. H. Smith moved that the Senate go into the Committee of the Whole on the state of the Commonwealth to consider said bill.

And the question being taken thereon, it was decided in the negative.

Mr. Bryan moved a call of the Senate.

And the question being taken thereon, it was decided in the negative.

The question then recurred on the adoption of the amendment proposed on yesterday by Mr. Berry, as a substitute for said bill.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry, G. G. Gilbert, D. H. Smith,
S. H. Boles, W. F. Neat, J. R. W. Smith,
R. A. Burnett, J. N. Price, W. H. Taulbee,
A. R. Byers, F. D. Rigney, J. H. Wilson—13.
W. M. Cravens,

Those who voted in the negative, were—

M. C. Alford, W. H. Frederick, L. W. McKee,
J. W. Bryan, J. D. Harris, J. W. Ogilvie,
W. J. Caudill, R. G. Hays, J. T. Simon,

C. M. Clay, Jr.,	S. E. Hill,	F. T. D. Wallace,
F. M. Clement,	H. T. Kendall,	E. L. Worthington,
Henry Dixon,	L. M. Martin,	J. H. McDanell—18.

Mr. Kendall then proposed the following amendment as a substitute for said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the present Warden of the Kentucky Penitentiary be, and he is hereby, allowed the sum of $2,911.13⅓, in payment of his salary under and by virtue of the provisions of the twenty-first section of an act approved May 3, 1880, and the Auditor is hereby directed to draw his warrant upon the Treasurer for the payment of the same.

§ 2. That from and after the first day of March, 1886, the Sinking Fund Commissioners shall have the power and authority to remove and appoint the Warden of the Kentucky Penitentiary, and all acts and parts of acts in conflict herewith are hereby repealed.

§ 3. This act shall take effect from its passage.

Mr. Simon moved to amend said proposed substitute as follows, viz:

Amend by striking out the figures "$2,911.13⅓," and inserting in lieu thereof "$1,500."

Mr. Bryan moved to amend said proposed substitute as follows, viz:

Amend by inserting "$2,911.15" as amount allowed to said Warden instead of "$2,911.13⅓."

Mr. Hill moved to amend said proposed substitute by adding to the first section thereof the following, viz:

"*Provided*, The Auditor is directed to deduct from the amount hereby appropriated a reasonable rental value of the residence occupied by the Warden during his removal from office."

Mr. D. H. Smith moved to amend said proposed substitute by striking out the enacting clause thereof.

Mr. D. H. Smith moved to further amend said proposed substitute by striking out the sum stated and inserting in lieu thereof the sum of $3,200.

Mr. Alford moved to postpone the further consideration of said bill and proposed substitute and amendments thereto until Tuesday next, February 23d, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the amendment proposed by by Mr. D. H. Smith to strike out the enacting clause of said proposed substitute, and it was decided in the negative.

The question was then taken on the amendment proposed by Mr. Simon to said proposed substitute, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rigney and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	G. G. Gilbert,	J. T. Simon,
C. M. Clay, Jr.,	J. D. Harris,	E. L. Worthington,
F. M. Clement,	S. E. Hill,	L. M. Martin—10.
Henry Dixon,		

Those who voted in the negative, were—

M. C. Alford,	R. G. Hays,	F. D. Rigney,
A. S. Berry,	H. T. Kendall,	D. H. Smith,
S. H. Boles,	J. H. McDanell,	J. R. W. Smith,
R. A. Burnett,	L. W. McKee,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
W. M. Cravens,	J. N. Price,	J. H. Wilson—22.
W. H. Frederick,		

The question was then taken on the amendment proposed by Mr. Bryan to said proposed substitute, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	J. T. Simon,	F. T. D. Wallace—5.
F. M. Clement,	D. H. Smith,	

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	J. W. Ogilvie,
A. S. Berry,	G. G. Gilbert,	J. N. Price,
S. H. Boles,	J. D. Harris,	F. D. Rigney,
R. A. Burnett,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	S. E. Hill,	W. H. Taulbee,
W. J. Caudill,	H. T. Kendall,	R. S. Triplett,
C. M. Clay, Jr.,	L. M. Martin,	J. H. Wilson,
W. M. Cravens,	J. H. McDanell,	E. L. Worthington,
Henry Dixon,	L. W. McKee,	W. F. Neat—27.

The question was then taken on the amendment proposed by Mr. Hill to said proposed substitute, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hill and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan, F. M. Clement, S. E. Hill—3.

Those who voted in the negative, were—

M. C. Alford, G. G. Gilbert, J. N. Price,
A. S. Berry, J. D. Harris, F. D. Rigney,
S. H. Boles, R. G. Hays, J. T. Simon,
R. A. Burnett, H. T. Kendall, D. H. Smith,
A. R. Byers, L. M. Martin, J. R. W. Smith,
W. J. Caudill, J. H. McDanell, W. H. Taulbee,
C. M. Clay, Jr., L. W. McKee, R. S. Triplett,
W. M. Cravens, W. F. Neat, F. T. D. Wallace,
Henry Dixon, J. W. Ogilvie, J. H. Wilson—28.
W. H. Frederick,

The question was then taken on the second amendment proposed by Mr. D. H. Smith to said proposed substitute (being to strike out the sum stated therein and insert in lieu thereof the sum of $3,200), and it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Clement, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan, F. M. Clement, D. H. Smith—3.

Those who voted in the negative, were—

M. C. Alford, J. D. Harris, F. D. Rigney,
A. S. Berry, R. G. Hays, J. T. Simon,
S. H. Boles, S. E. Hill, J. R. W. Smith,
R. A. Burnett, H. T. Kendall, W. H. Taulbee,
A. R. Byers, L. M. Martin, R. S. Triplett,
W. J. Caudill, J. H. McDanell, F. T. D. Wallace,
C. M. Clay, Jr., L. W. McKee, J. H. Wilson,
W. M. Cravens, W. F. Neat, E. L. Worthington,
Henry Dixon, J. W. Ogilvie, J. N. Price—28.
G. G. Gilbert,

The question was then taken on the adoption of the amendment proposed by Mr. Kendall as a substitute for said bill, and

it was decided in the negative by the casting vote of Hon. James R. Hindman, Lieutenant-Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Simon and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	D. H. Smith,
S. H Boles,	H. T. Kendall,	J. R. W. Smith,
R. A. Burnett,	W. F. Neat,	W. H. Taulbee,
A. R. Byers,	J. N. Price,	R. S. Triplett,
W. J. Caudill,	F. D. Rigney,	J. H. Wilson—16.
W. M. Cravens,		

Those who voted in the negative, were—

M. C. Alford,	G. G. Gilbert,	J. T. Simon,
J. W. Bryan,	J. D. Harris,	F. T. D. Wallace,
C. M. Clay, Jr.,	S. E. Hill,	E. L. Worthington,
F. M. Clement,	L. M. Martin,	L. W. McKee,
Henry Dixon,	J. H. McDanell,	J. R. Hindman—17.
W. H. Frederick,	J. W. Ogilvie,	

Mr. Martin moved to amend said bill as follows, viz:

Amend by striking line 5 out of section 2, and inserting "to the first day of February, 1886, $2,744.46⅔."

And the question being taken thereon, it was decided in the affirmative.

Mr. McKee moved to amend said bill by striking out the second section thereof.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	S. E. Hill,	E. L. Worthington,
C. M. Clay, Jr.,	H. T. Kendell,	F. T. D. Wallace—8.
F. M. Clement,	L. W. McKee,	

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	J. N. Price,
A. S. Berry,	G. G. Gilbert,	F. D. Rigney,
S. H. Boles,	J. D. Harris,	J. T. Simon,
R. A. Burnett,	R. G. Hays,	D. H. Smith,
A. R. Byers,	L. M. Martin,	J. R. W. Smith,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee,
W. M. Cravens,	W. F. Neat,	R. S. Triplett,
Henry Dixon,	J. W. Ogilvie,	J. H. Wilson—24.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 2 of an act, entitled "An act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 3, 1880, be, and the same is hereby, repealed, and the term of the present Warden of the said Penitentiary shall cease and determine ten days after the date on which this act takes effect.

§ 2. That the present Warden of the Kentucky Penitentiary be, and he is hereby, allowed the salary provided for under and by virtue of the provisions of the twenty-first (21st) section of the said act, approved May 3, 1880, from the fourteenth day of September, 1884, to the first day of February, 1886, $2,744.46, and the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasury therefor in favor of the said Warden.

§ 3. A Warden of the Penitentiary shall be elected by the Commissioners of the Sinking Fund as *ex officio* directors of the said Penitentiary, who shall hold his office for the term of four years, commencing ten days after this act takes effect; and the said Commissioners shall have the power, in their discretion, to remove any Warden and appoint or elect his successor, and the action of the said Commissioners thereon shall be final and conclusive. Before entering on the discharge of the duties of the office, the Warden shall take the constitutional oath and execute a covenant to the Commonwealth of Kentucky in the sum of thirty thousand dollars ($30,000), with two or more good sureties, to be approved by said Commissioners—whose duty it shall be to take said bond, and shall file the same with the Secretary of State for safe-keeping—to the effect that he, as Warden, shall faithfully, well and truly discharge and perform all of the duties required of him and all the obligations imposed upon him according to law, and that he shall faithfully account for all money that may come to his hands and pay the same into the State Treasury in the manner provided in the said act of May 3, 1880; and that he shall faithfully account for all the property in his hands, or under his control, belonging to the State when he ceases to be Warden, or is required to do so by said Commissioners; and if at any time the Commissioners shall deem the sureties on the bond of the Warden insufficient, it shall be their duty to require him to give an additional bond, with sufficient security, which additional bond shall in nowise impair, lessen or affect the liability of the sureties on the original bond to the Commonwealth; and if said Warden declines, neglects or fails to give such additional bond within thirty (30) days after the said Commissioners serve notice on him requiring him to do so, they shall declare the office of Warden vacant, and shall fill the vacancy by appointment, as herein provided.

§ 4. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	J. D. Harris,	J. T. Simon,
S. H. Boles,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	J. H. McDanell,	R. S. Triplett,
W. M. Cravens,	L. W. McKee,	F. T. D. Wallace,
Henry Dixon,	W. F. Neat,	E. L. Worthington,
W. H. Frederick,	J. W. Ogilvie,	F. D. Rigney—22.
G. G. Gilbert,		

Those who voted in the negative, were—

A. S. Berry,	F. M. Clement,	J. N. Price,
J. W. Bryan,	S. E. Hill,	D. H. Smith,
R. A. Burnett,	H. T. Kendall,	J. H. Wilson—10.
A. R. Byers,		

Resolved, That the title of said bill be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Clay moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	F. D. Rigney,
S. H. Boles,	J. D. Harris,	J. T. Simon,
R. A. Burnett,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee,
C. M. Clay, Jr.,	L. W. McKee,	R. S. Triplett,
Henry Dixon,	W. F. Neat,	E. L. Worthington,
W. H. Frederick,	J. W. Ogilvie,	F. T. D. Wallace—21.

Those who voted in the negative, were—

A. S. Berry,	F. M. Clement,	D. H. Smith,
J. W. Bryan,	H. T. Kendall,	J. H. Wilson—8.
A. R. Byers,	J. N. Price,	

Mr. Neat moved that the Senate do now adjourn until Tuesday next, February 23d, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	J. H. McDanell,	F. T. D. Wallace,
C. M. Clay, Jr.,	W. F. Neat,	E. L. Worthington,
Henry Dixon,	J. N. Price,	W. H. Taulbee—11.
R. G. Hays,	J. R. W. Smith,	

Those who voted in the negative, were—

A. S. Berry,	W. M. Cravens,	J. W. Ogilvie,
S. H. Boles,	W. H. Frederick,	F. D. Rigney,
J. W. Bryan,	G. G. Gilbert,	J. T. Simon,
R. A. Burnett,	S. E. Hill,	D. H. Smith,
A. R. Byers,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	L. W. McKee,	J. H. Wilson—19.
F. M. Clement,		

Leave was given to bring in the following bills, viz:

On motion of Mr. Caudill—

1. A bill to allow the County Court of Perry county, to issue bonds to pay for building court-house and county jail.

On motion of Mr. Martin—

2. A bill to amend an act, entitled "An act to incorporate the Harrison Female College," approved January 24, 1880.

Ordered, That the Committee on Internal Improvements prepare and bring in said bills.

On motion of Mr. Bryan, the Senate then adjourned.

SATURDAY, FEBRUARY 20, 1886.

In the absence of the regular Speaker, and at his request, the Hon. Sam E. Hill took the chair and presided.

On motion of Mr. Neat, the reading of the Journal of yesterday was dispensed with.

On motion of Mr. Ogilvie, leave of absence, indefinitely, was granted to Messrs. Burnett, Wallace, Clement, Alford, Price and Harry T. Glenn, Chief Clerk of the Senate.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the House of Representatives, of the following titles, viz:

1. An act to amend chapter 53, of the General Statutes, title "Idiots and Lunatics."
2. An act for the benefit of Turner Hughes, of Lee county.
3. An act for the benefit of J. L. Yadon, of Laurel county.
4. An act for the benefit of D. D. Owens, of Pulaski county.
5. An act for the benefit of J. M. Nesbitt, of Bath county.
6. An act for the benefit of Patrick Kelly, of Woodford county.
7. An act for the benefit of Charles A. Doris, of Webster county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on General Statutes, and the 2d, 3d, 4th, 5th, 6th and 7th to the Committee on Claims.

Mr. Hays moved to reconsider the vote by which the Senate had disagreed to a resolution which originated in the House of Representatives, entitled

Resolution extending the present session of the General Assembly.

Which motion was simply entered.

Mr. Berry, from the special committee appointed to investigate certain charges of immorality alleged against Senator S. H. Boles, submitted the following report, viz:

To the Honorable Senate of Kentucky:

Your committee, appointed to investigate certain charges of immorality alleged against Senator S. H. Boles, beg leave to report that after diligent search and investigation, and a full hearing of all the facts and testimony in regard to the said charges (which testimony is herewith returned), your committee are fully satisfied that the statements contained in the article of the "Louisville Post" and "Cincinnati Enquirer" are without any foundation in fact. That the conduct of Senator Boles has been most exemplary during the period referred to in said articles. All of which is most respectfully submitted.

A. S. BERRY,
R. A. BURNETT,
J. H. WILSON,
W. F. NEAT,
C. M. CLAY, JR.,
W. H. FREDERICK.

Mr. Berry moved that said report be adopted and the committee discharged.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Simon and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	J. T. Simon,
A. R. Byers,	S. E. Hill,	D. H. Smith,
W. J. Caudill,	H. T. Kendall,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett,
Henry Dixon,	L. W. McKee,	E. L. Worthington,
W. H. Frederick,	W. F. Neat,	F. D. Rigney—23.
G. G. Gilbert,	J. W. Ogilvie,	

In the negative—none.

Mr. McKee, from the Committee on Military Affairs, to whom was referred a resolution from the House of Representatives, entitled

Resolution authorizing the Adjutant-General to loan guns to Major Harris Post, Grand Army Republic, at Augusta, Kentucky,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 20, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

Noble Clarke, Jefferson county.
Henry S. Cohn, Jefferson county.
Albert S. Crutcher, Jefferson county.
S. M. Bernard, Jefferson county.
J. T. Funk, Jefferson county.
Alexander Antonini, Jefferson county.
Wm. L. Jackson, Jr., Jefferson county.
J. T. O'Neal, Jefferson county.
Zack Phelps, Jefferson county.
A. W. Keating, Jefferson county.
C. T. Atkinson, Nelson county.
Robert Richardson, Kenton county.
John P. M. Jett, Hancock county.
J. S. Chapman, Adair county.
Chas. H. Drury, Breckinridge county.
Robert D. Vance, Henderson county.
N. S. Roark, Henderson county.
John S. Ducker, Campbell county.
W. E. Bourland, Hopkins county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Rigney moved the following resolution, viz:

Resolved, That in addition to the regular meetings of the Senate, there shall be sessions held in the evening from and after Monday, February 22, 1886, beginning at three o'clock P. M., and ending at five o'clock P. M.

Which, under the rule, lies one day on the table.

Mr. Rigney moved to suspend the rules, and take up said resolution for consideration.

And the question being taken thereon, it was decided in the negative.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Taulbee, from the Committee on Courts of Justice—

A bill to authorize the County Court of Bourbon county to pay Circuit Clerk for continuing index and cross-index to suits.

By Mr. D. H. Smith, from the Committee on General Statutes—

A bill for the benefit of J. W. Rowlett.

By same—

A bill to amend an act, entitled "An act to amend article 6, chapter 62, of the General Statutes."

By Mr. Simon, from the same committee—

A bill to amend section 1, article 16, chapter 41, of the General Statutes.

By Mr. Martin, from the Committee on the Judiciary—

A bill to provide for vacating the charter of the Brooksville and Claysville Turnpike Company, as to part of its road.

By same—

A bill to authorize the Courts of Claims of Harrison and Robertson counties to provide for repairing and maintaining a part of the Brooksville and Claysville Turnpike.

By same—

A bill to authorize the sale of the Cynthiana and Indian Creek Turnpike Road.

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to incorporate the Henderson Trust Company.

By Mr. Dixon, from the Committee on Courts of Justice—

A bill for the benefit of P. A. Cline.

By Mr. Hays, from the Committee on Finance—

A bill to amend the charter of the city of Louisville in relation to the public charities thereof.

By Mr. Berry, from the Committee on Education—

A bill to establish a system of common schools in the town of Dixie, in Henderson county.

By Mr. Dixon, from the Committee on Propositions and Grievances—

A bill to change the line between Adair and Russell counties.

By same—

A bill to prevent the running of steam-engines over the public roads of this Commonwealth.

Which bills were severally read the first time and ordered to be read the second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous and malt liquors and mixtures of same, and all bitters and nostrums which intoxicate, in Graves county, Ky., and to provide for a vote of the legal voters of said county thereon.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled "An act to incorporate the Kentucky Wagon Manufacturing Company," approved January 16, 1882.

By same—

An act to amend an act, entitled "An act to incorporate the town of Clifton, in Jefferson county," approved April 4, 1884.

By Mr. Berry, from the Committee on Education—

An act to amend an act, entitled "An act to incorporate the Garrard Female College," approved May 6, 1884, and to amend an act, entitled "An act for the benefit of the Garrard Female College," approved April 17, 1884.

By Mr. Hays, from the Committee on Finance—

An act concerning the county revenue of Jefferson county.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cravens moved to reconsider the vote by which the Senate had disagreed to a bill which originated in the House of Representatives, entitled

An act to incorporate the Stanford Street Railway.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Worthington moved to recommit said bill to the Committee on Railroads.

And the question being taken thereon it was decided in the affirmative.

Mr. Hays, from the Committee on Finance, reported a bill, entitled

A bill to authorize the City Council, of Stanford, to issue bonds to pay off the outstanding indebtedness of the city of Stanford, and to provide street lamps for the city.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Rigney moved to recommit said bill to the Committee on Finance.

And the question being taken thereon, it was decided in the affirmative.

Mr. Dixon, from the Committee on Courts of Justice, reported a bill, entitled

A bill to incorporate the Kentucky Household Gas Supply Company.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Simon moved to recommit said bill to the Committee on Courts of Justice.

And the question being taken thereon, it was decided in the affirmative.

Mr. Simon, from the Committee on General Statutes, reported a bill, entitled

A bill to amend section 15, article 12, chapter 33, of the General Statutes.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Gilbert moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday, the twenty-third day of February, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Simon, from the Committee on General Statutes, reported a bill, entitled

A bill to repeal an act, entitled "An act to amend section 6, article 13, chapter 38, General Statutes," approved April 22, 1884.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Simon moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, February 24th, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Worthington, from the Committee on the Judiciary, reported a bill, entitled

A bill to regulate continuances in criminal and penal cases.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Gilbert,

Ordered, That said bill be printed, and made the special order of the day for Thursday, February 25th, at 11 o'clock A. M., and from day to day until disposed of.

Leave was granted to bring in the following bills, viz:

On motion of Mr. McKee—

1. A bill to amend the charter of the town of Lawrenceburg, Kentucky.

On motion of Mr. Simon—

2. A bill to amend an act, entitled "An act to empower the County Court of Pendleton county to make subscription to the capital stock of turnpike roads in said county," approved March 15, 1878.

Ordered, That the Committee on General Statutes prepare and bring in said bills.

Mr. J. R. W. Smith moved that the Senate do now adjourn until Tuesday, February 23d, at 11 o'clock A. M.

Mr. Clay moved that the Senate do now adjourn until Monday, February 22d, at 11 o'clock A. M.

The question was then taken on the motion proposed by Mr. J. R. W. Smith, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	F. D. Rigney,
W. J. Caudill,	S. E. Hill,	J. R. W. Smith,
W. M. Cravens,	H. T. Kendall,	W. H. Taulbee,
Henry Dixon,	J. H. McDanell,	R. S. Triplett,
W. H. Frederick,	L. W. McKee,	E. L. Worthington,
G. G. Gilbert,	W. F. Neat,	J. W. Ogilvie—18.

Those who voted in the negative, were—

C. M. Clay, Jr.,	J. T. Simon,	D. H. Smith—4.
L. M. Martin,		

The Senate then adjourned until Tuesday, February 23d, at 11 o'clock A. M.

TUESDAY, FEBRUARY 23, 1886.

The Journal of February 20th was read and approved.

A message was received from the House of Representatives, announcing that they had passed a bill and concurred in the adoption of a resolution which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Central Passenger Railway Company.

Resolution to pay J. Edward Galbraith $100 as Special Bailiff in Jefferson Circuit Court.

Mr. Frederick presented the petition of certain citizens of Harrod's Creek, in Jefferson county, praying the passage of an act prohibiting the sale of intoxicating liquors within one mile of Harrod's Creek Church, in said county.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth bordering on Green and Barren rivers, for certain purposes, etc.

An act to grant certain powers and privileges to the Deuber Light Company, a corporation organized in Campbell county, under the provisions of chapter 56, of the General Statutes.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Religion and Morals—

A bill to incorporate the Union Gospel Mission, of Louisville, Kentucky.

By Mr. Berry, from the Committee on Education—

A bill to amend an act, entitled "An act to incorporate and establish a system of public schools in the town of Elkton,

A bill to regulate continuances in criminal and penal cases.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Gilbert,

Ordered, That said bill be printed, and made the special order of the day for Thursday, February 25th, at 11 o'clock A. M., and from day to day until disposed of.

Leave was granted to bring in the following bills, viz:

On motion of Mr. McKee—

1. A bill to amend the charter of the town of Lawrenceburg, Kentucky.

On motion of Mr. Simon—

2. A bill to amend an act, entitled "An act to empower the County Court of Pendleton county to make subscription to the capital stock of turnpike roads in said county," approved March 15, 1878.

Ordered, That the Committee on General Statutes prepare and bring in said bills.

Mr. J. R. W. Smith moved that the Senate do now adjourn until Tuesday, February 23d, at 11 o'clock A. M.

Mr. Clay moved that the Senate do now adjourn until Monday, February 22d, at 11 o'clock A. M.

The question was then taken on the motion proposed by Mr. J. R. W. Smith, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	F. D. Rigney,
W. J. Caudill,	S. E. Hill,	J. R. W. Smith,
W. M. Cravens,	H. T. Kendall,	W. H. Taulbee,
Henry Dixon,	J. H. McDanell,	R. S. Triplett,
W. H. Frederick,	L. W. McKee,	E. L. Worthington,
G. G. Gilbert,	W. F. Neat,	J. W. Ogilvie—18.

Those who voted in the negative, were—

C. M. Clay, Jr.,	J. T. Simon,	D. H. Smith—4.
L. M. Martin,		

The Senate then adjourned until Tuesday, February 23d, at 11 o'clock A. M.

TUESDAY, FEBRUARY 23, 1886.

The Journal of February 20th was read and approved.

A message was received from the House of Representatives, announcing that they had passed a bill and concurred in the adoption of a resolution which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Central Passenger Railway Company.

Resolution to pay J. Edward Galbraith $100 as Special Bailiff in Jefferson Circuit Court.

Mr. Frederick presented the petition of certain citizens of Harrod's Creek, in Jefferson county, praying the passage of an act prohibiting the sale of intoxicating liquors within one mile of Harrod's Creek Church, in said county.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to grant the consent of the State of Kentucky to the acquisition by the United States of certain lands within the Commonwealth bordering on Green and Barren rivers, for certain purposes, etc.

An act to grant certain powers and privileges to the Deuber Light Company, a corporation organized in Campbell county, under the provisions of chapter 56, of the General Statutes.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Religion and Morals—

A bill to incorporate the Union Gospel Mission, of Louisville, Kentucky.

By Mr. Berry, from the Committee on Education—

A bill to amend an act, entitled "An act to incorporate and establish a system of public schools in the town of Elkton,

Todd county, and within a radius of three miles of the court-house in said town.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the Committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend, digest and reduce into one, all the acts incorporating the city of Lexington," approved April 19, 1882;

An act to incorporate the Citizens' Bank, of New Liberty;

And enrolled bills and resolutions which originated in the Senate of the following titles, viz:

An act to incorporate the International Hereford Association of Kentucky;

An act to amend the charter of the Louisville City Railway Company;

An act to amend the charter of the Central Passenger Railroad Company;

Resolution requesting Kentucky members of Federal Congress to use their influence to secure an appropriation from the Government to lock and dam the Licking river, in Kentucky;

Resolution directing the Committee on the Judiciary of the two Houses to report as to the constitutionality of increasing the judicial districts of the State;

Joint resolution to appoint a committee to investigate charges affecting the management of the Eastern Lunatic Asylum;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Berry—

1. A bill to fix a legal day's labor at eight hours.

On motion of same—

2. A bill authorizing the city of Newport to issue bonds rebuilding bridge between Newport and Covington.

On motion of Mr. Gilbert—

3. A bill to enable the Spencer County Court of Claims to aid in the construction of school-houses in said county.

On motion of Mr. Clement—

4. A bill to charter the Marion School Association, in Crittenden county.

On motion of Mr. McKee—

5. A bill for the benefit of the Clerk of the Board of Councilmen of the city of Frankfort.

On motion of Mr. J. R. W. Smith—

6. A bill to incorporate the Consolidated Lodge, Grand United Order of Odd Fellows.

On motion of same—

7. A bill to enable foreign corporations, formed for the purpose of developing the mineral, agricultural and other resources of this Commonwealth, to acquire, hold, encumber and convey real estate, and to build, construct and operate, mortgage and otherwise encumber railways therein.

On motion of Mr. Rigney—

8. A bill for the benefit of D. B. Edmeston, committee of George Delane, of Lincoln county.

On motion of Mr. Simon—

9. A bill to prevent stock from running at large in Pendleton county.

On motion of Mr. Alford—

10. A bill to incorporate the Chamber of Commerce of Lexington, Kentucky.

On motion of same—

11. A bill to incorporate the Proctor Coal Company.

On motion of Mr. McDanell—

12. A bill to amend chapter 18, General Statutes, entitled "Common Schools."

On motion of Mr. J. R. W. Smith—

13. A bill for the benefit of Elizabeth Carlisle and John Skaggs, of Marion county.

Ordered, That the Committee on Education prepare and bring in the 1st, 3d, 4th and 12th; the Committee on Codes of Practice the 2d; the Committee on General Statutes the 6th and 13th; the Committee on Propositions and Grievances the 5th; the Committee on the Judiciary the 7th; the Committee on Claims the 8th; the Committee on Executive Affairs the 9th, and the Committee on Courts of Justice the 10th and 11th.

Messrs. Walker and Sparks, who were absent when the vote was taken upon the adoption of the report of the special committee appointed to investigate charges against Senator Boles, asked to have their votes recorded in the affirmative on the adoption of said report.

Which was granted.

Mr. Ogilvie moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to prohibit the sale of spirituous, vinous and malt liquors and mixtures of same, and all bitters and nostrums which intoxicate, in Graves county, and to provide for a vote of the legal voters of said county thereon.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Albritton proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Sparks moved the following resolution, viz:

Be it resolved by the Senate of Kentucky, That our Senators and Representatives in Congress of the United States be requested to oppose any law, the effect of which will be to admit free of duty through the ports of this country any article of foreign growth, the use of which will come into competition with our home grown hemp of Kentucky.

Mr. Hill moved to refer said resolution to the Committee on Federal Relations.

And the question being taken thereon it was decided in the negative.

The question was then taken upon the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Taulbee were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. M. Cravens,	J. H. McDanell,
A. S. Berry,	Henry Dixon,	L. W. McKee,
S. H. Boles,	John Feland,	W. F. Neat,
J. W. Bryan,	W. H. Frederick,	J. W. Ogilvie,
R. A. Burnett,	G. G. Gilbert,	F. D. Rigney,
A. R. Byers,	J. D. Harris,	J. R. W. Smith,
W. J. Caudill,	R. G. Hays,	E. R. Sparks,
C. M. Clay, Jr.,	S. E. Hill,	W. H. Taulbee,
F. M. Clement,	L. M. Martin,	Robert Walker—27.

Those who voted in the negative, were—

R. T. Albritton,	D. H. Smith,	R. S. Triplett—4.
J. T. Simon,		

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act, entitled "An act to amend article 6, chapter 62, of the General Statutes."

Which motion was simply entered.

The Senate, according to order, took up for consideration a bill, entitled

A bill for the maintenance and burial of pauper idiots.

Mr. J. R. W. Smith moved to recommit said bill to the Committee on General Statutes.

And the question being taken thereon, it was decided in the negative.

On motion of Mr. McKee,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for to-morrow, February 24th, at 11 o'clock A. M.

The Senate took up for consideration the motion heretofore entered by Mr. Hays, to reconsider the vote by which the Senate

had disagreed to a resolution which originated in the House of Representatives, entitled

Resolution extending the present session of the General Assembly.

[*For resolution, see Senate Journal, February 19th.*]

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Hays, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	Henry Dixon,	D. H. Smith,
A. S. Berry,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	E. R. Sparks,
A. R. Byers,	J. H. McDanell,	W. H. Taulbee,
W. J. Caudill,	L. W. McKee,	R. S. Triplett,
C. M. Clay, Jr.,	W. F. Neat,	E. L. Worthington,
W. M. Cravens,	J. W. Ogilvie,	F. D. Rigney—21.

Those who voted in the negative, were—

R. T. Albritton,	John Feland,	L. M. Martin,
S. H. Boles,	G. G. Gilbert,	J. T. Simon,
J. W. Bryan,	J. D. Harris,	Robert Walker—11.
F. M. Clement,	S. E. Hill,	

Mr. Hays moved that the further consideration of said resolution be postponed, and that said resolution be made the special order of the day for to-morrow, February 24th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	D. H. Smith,
A. S. Berry,	R. G. Hays,	J. R. W. Smith,
R. A. Burnett,	L. M. Martin,	E. R. Sparks,
A. R. Byers,	J. H. McDanell,	W. H. Taulbee,
W. J. Caudill,	L. W. McKee,	R. S. Triplett,
W. M. Cravens,	W. F. Neat,	E. L. Worthington,
Henry Dixon,	J. W. Ogilvie,	F. D. Rigney—22.
W. H. Frederick,		

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	S. E. Hill,
S. H. Boles,	John Feland,	J. T. Simon.
J. W. Bryan,	J. D. Harris,	Robert Walker—9.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend section 15, article 12, chapter 33, of General Statutes.

Ordered, That said bill be engrossed, and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 15, of article 12, chapter 33, of the General Statutes be, and the same is hereby, repealed, and the following enacted in lieu thereof, to wit: Any person convicted of a felony and actually in possession therefor in the Penitentiary of this State, or in that of any other State, or in that of any other State of the United States shall forfeit his right of suffrage, and to hold any office of trust, honor or profit, and he shall be incompetent as a juror, unless he shall have received a pardon, in which case he shall be restored to all his civil rights and privileges.

§ 2. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Neat, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	Henry Dixon,	J. W. Ogilvie,
S. H. Boles,	W. H. Frederick,	J. T. Simon,
J. W. Bryan,	G. G. Gilbert,	J. R. W. Smith,
R. A. Burnett,	J. D. Harris,	E. L. Worthington,
C. M. Clay, Jr.,	S. E. Hill,	L. M. Martin—16.
F. M. Clement,		

Those who voted in the negative, were—

A. S. Berry,	R. G. Hays,	E. R. Sparks,
A. R. Byers,	J. H. McDanell,	W. H. Taulbee,
W. J. Caudill,	W. F. Neat,	R. S. Triplett—11.
John Feland,	F. D. Rigney,	

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Martin, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to establish the Nineteenth Circuit Court Judicial District, to be composed of the counties of Clay, Leslie, Perry, Breathitt, Knott and Letcher,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Caudill,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for to-morrow, February 24th, at 11:30 o'clock A. M.

The Senate took up for consideration a bill, entitled

A bill to establish a Normal School in Bowling Green, Warren county.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an institution of learning is hereby established in Bowling Green, Warren county, Ky., by the name and style of the Southern Normal School, which shall be under the control of J. A. Mitchell, P. J. Pattie, J. M. Tyler, R. L. Dulaney, G. P. Payne, W. B. Winans, John B. Gaines, Wm. H. Blakely, Ed. L. Hines, H. P. Cartwright and C. G. Smallhouse, and their successors, as trustees of said institution. If at any time a vacancy shall occur by death, removal or resignation, the other trustees shall name a suitable person to fill the vacancy. They shall have the power to name one of their number president of their board, and such other officers as they may deem proper. They shall have the power to employ such professors of learning as they may desire to teach said normal school. They may hold annual commencements and public examinations of the pupils, and may confer such honorary degrees and diplomas as is usual in colleges in this Commonwealth. But no honorary degree shall entitle the person receiving it to be exempt from the regular examination as a teacher.

§ 2. *Be it further enacted*, That any graduate from said school holding a diploma signed by its trustees or professors shall be deemed qualified to teach any common school in this Commonwealth, and the same shall stand in lieu of a first-class first grade

certificate, as provided and required now under the common school laws of Kentucky.

§ 3. *Be it further enacted*, That said normal school shall receive white students of both sexes and any degree of advancement.

§ 4. *Be it further enacted*, That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. M. Cravens,	J. W. Ogilvie,
M. C. Alford,	G. G. Gilbert,	F. D. Rigney,
A. S. Berry,	J. D. Harris,	E. R. Sparks,
R. A. Burnett,	S. E. Hill,	R. S. Triplett,
A. R. Byers,	L. M. Martin,	Robert Walker,
W. J. Caudill,	J. H. McDanell,	E. L. Worthington,
C. M. Clay, Jr.,	L. W. McKee,	W. F. Neat—22.
F. M. Clement,		

Those who voted in the negative, were—

S. H. Boles,	R. G. Hays,	W. H. Taulbee—5.
John Feland,	J. R. W. Smith,	

Resolved, That the title of said bill be as aforesaid.

Mr. Feland moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. M. Cravens,	F. D. Rigney,
R. A. Burnett,	John Feland,	D. H. Smith,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee—9.

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	J. T. Simon,
M. C. Alford,	G. G. Gilbert,	J. R. W. Smith,
S. H. Boles,	J. D. Harris,	E. R. Sparks,
J. W. Bryan,	S. E. Hill,	R. S. Triplett,
A. R. Byers,	L. M. Martin,	E. L. Worthington,
C. M. Clay, Jr.,	L. W. McKee,	J. W. Ogilvie—20.
F. M. Clement,	W. F. Neat,	

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend and continue in force chapter 1324, Session Acts of 1881–82, entitled "An act to establish a Superior Court and to regulate same."

Mr. J. R. W. Smith moved that said bill be printed and made the special order of the day for Tuesday next, March 2d, at 11 o'clock A. M.

Mr. Gilbert moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	C. M. Clay, Jr.,	J. H. McDanell,
M. C. Alford,	F. M. Clement,	L. W. McKee,
A. S. Berry,	W. H. Frederick,	J. W. Ogilvie,
J. W. Bryan,	G. G. Gilbert,	J. T. Simon,
A. R. Byers,	J. D. Harris,	E. L. Worthington,
W. J. Caudill,	S. E. Hill,	L. M. Martin—18.

Those who voted in the negative, were—

S. H. Boles,	W. F. Neat,	E. R. Sparks,
R. A. Burnett,	F. D. Rigney,	W. H. Taulbee,
W. M. Cravens,	D. H. Smith,	R. S. Triplett—11.
John Feland,	J. R. W. Smith,	

Mr. Feland moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	D. H. Smith,
A. S. Berry,	W. H. Frederick,	J. R. W. Smith,
S. H. Boles,	J. H. McDanell,	W. H. Taulbee—10.
R. A. Burnett,		

Those who voted in the negative, were—

M. C. Alford,	R. G. Hays,	J. T. Simon,
J. W. Bryan,	S. E. Hill,	E. R. Sparks,
A. R. Byers,	L. W. McKee,	R. S. Triplett,
W. J. Caudill,	W. F. Neat,	E. L. Worthington,
G. G. Gilbert,	J. W. Ogilvie,	F. D. Rigney—16.
J. D. Harris,		

Mr. Martin moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for to-morrow, February 24th, at 10:45 o'clock A. M.

Mr. Feland moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles, R. A. Burnett, A. R. Byers, F. M. Clement, H. T. Kendall, D. H. Smith, J. R. W. Smith, E. R. Sparks, W. H. Taulbee, R. S. Triplett, Robert Walker—11.

Those who voted in the negative, were—

R. T. Albritton, M. C. Alford, J. W. Bryan, W. H. Frederick, G. G. Gilbert, R. G. Hays, S. E. Hill, L. M. Martin, L. W. McKee, J. W. Ogilvie, F. D. Rigney, E. L. Worthington, W. F. Neat—13.

Mr. J. R. W. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Hays, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton, A. S. Berry, S. H Boles, R. A. Burnett, W. J. Caudill, John Feland, G. G. Gilbert, W. F. Neat, J. W. Ogilvie, J. N. Price, D. H. Smith, J. R. W. Smith, E. R. Sparks, W. H. Taulbee, Robert Walker—15.

Those who voted in the negative, were—

M. C. Alford, J. W. Bryan, C. M. Clay, Jr., F. M. Clement, W. H. Frederick, J. D. Harris, R. G. Hays, S. E. Hill, L. M. Martin, J. T. Simon, R. S. Triplett, E. L. Worthington, J. H. McDanell—13.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 24, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act to incorporate the Presbyterian Mutual Assurance Fund, approved February 20, 1878.

An act to amend and continue in force the charter of the Breckinridge Bank, at Cloverport, in Breckinridge county.

An act to amend the charter of Bardstown, in the county of Nelson.

An act to amend an act to incorporate the Paducah and Illinois Bridge Company, approved April 26, 1880.

That they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act concerning the county revenue of Jefferson county.

That they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to incorporate the People's Bank, of Adairville.

With an amendment to the amendment, which was taken up and concurred in.

That they had disagreed to a bill which originated in the Senate, entitled

An act to create a Common Pleas Court for Marion county.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Limestone Building Association, of Maysville, Kentucky.

An act to incorporate the Women's Educational and Industrial Union, of Covington, Kentucky.

An act to amend and reduce into one the several acts respecting the town of Fulton, Fulton county.

An act to repeal an act, entitled "An act to amend the charter of the city of Covington," approved March 1, 1873.

An act to establish a Board of Commissioners for Lawrence county, and defining their powers and duties, and defining the duties of certain officers whose duties are connected therewith.

An act to repeal an act, entitled "An act to establish a toll-gate on the Wilderness Turnpike Road, in Bell county."

An act to amend the charter of the town of Yosemite, in Casey county.

An act to authorize the County Court of Bourbon county to pay Circuit Clerk for continuing index and cross-index to suits.

An act to amend an act, entitled "An act to incorporate the Masonic Temple Association of Newport," approved March 29, 1880.

An act to amend the charter of the Jefferson Railway Company, approved January 11, 1867.

That they had adopted a resolution and passed bills of the following titles, viz:

Resolution asking our Representatives in Congress to use their influence in aid of the passage of a bill pending in Congress to establish a system of signal service throughout the United States.

1. An act to fix and change the time for holding the regular terms of the Bath Court of Common Pleas.

2. An act to incorporate the Homestead Building Association.

3. An act for the benefit of school district No. 12, in Kenton county.

4. An act to amend an act, entitled "An act to incorporate the Lebanon Water-works Company," approved March 6, 1884.

5. An act to prohibit the sale of spirituous, vinous or malt liquors within four miles of Mount Union Church, General Baptists, in Allen county.

6. An act to amend sections 2 and 3, of article 5, of the charter of the city of Stanford, in Lincoln county, in regard to the jurisdiction of the Judge of the Stanford City Court.

7. An act to amend an act incorporating the Louisville Courier-Journal Company.

8. An act for the benefit of N. M. Williams, of Marshall county.

9. An act for the benefit of Taylor county.

10. An act to amend an act, entitled "An act to incorporate the Mackville and Perryville Turnpike Road Company."

11. An act for the benefit of the Union and Sharpsburg Turnpike Road Company (Clarke route), in Nicholas county.

12. An act to enable the County Court of Bracken county to borrow money to pay off the balance of the indebtedness of said county, occasioned by the erection of the new poor-house building, and to purchase necessary furniture for said new building.

13. An act to amend the charter of the town of Cornishville, in Mercer county.

14. An act to amend an act, entitled "An act for the benefit of Warren county," approved December 20, 1873.

15. An act to permit Garrard county to issue certain bonds.

16. An act to repeal an act, entitled "An act to amend an act for the benefit of Warren county," approved January 22, 1884.

17. An act, entitled "An act to revise and amend and reduce into one the charter and various amendments relating to the town of South Carrollton, in Muhlenberg county."

18. An act to incorporate the town of Stinnett, in Anderson county.

19. An act to amend the charter of the city of Richmond.

20. An act giving further time of two years to the Sheriffs, ex-Sheriffs, and Constables of this State, in which to collect their uncollected taxes and fee bills.

21. An act to authorize and empower the Henry County Court to lay an ad valorem levy to pay for bridge, etc.

22. An act for the benefit of John W. Caseldine, Sheriff of Henry county.

23. An act to amend section 4, of article 3, of chapter 5, of General Statutes.

24. An act to repeal section 4, of an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors in any quantity less than ten gallons in precinct No. 8, in Bourbon county," approved April 4, 1884.

25. An act to amend the charter of the Simpson County Agricultural and Mechanical Association.

26. An act to amend an act, entitled "An act to incorporate the Hawkins and Cummins Turnpike Road Company, in Bourbon county."

27. An act to amend and reduce into one the road laws of Greenup county.

28. An act to authorize the Rockcastle County Court to issue and sell bonds of said county, and to provide payment of same for the purpose of building a new jail, etc.

29. An act to declare Pond Run creek, in Breckinridge county, a navigable stream.

30. An act to authorize the County Court of Fayette county, to re-index deed and mortgage records of said county, and provide for the payment of same out of the county levy.

31. An act to incorporate the Deposit Bank of Hiseville.

32. An act to incorporate the Paducah Savings and Deposit Bank.

33. An act to amend an act, entitled "An act to authorize the County Court of Pike county to issue bonds to raise money to build a court-house, jail, clerks' office and other public buildings," approved February 20, 1884.

34. An act to authorize the Butler County Court of Claims to levy an ad valorem tax for county purposes.

35. An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Weston, Crittenden county," approved March 21, 1882.

36. An act to incorporate the Journeymen House Painters' Association of Louisville.

37. An act to amend an act, entitled "An act to incorporate the town of Slaughtersville, in Webster county."

38. An act to incorporate the Snead & Co. Iron Works.

39. An act to amend an act, entitled "An act to arrange the business of the Union Circuit Court, and directing the clerk to docket the cases in accordance therewith."

40. An act to amend an act, entitled "An act to incorporate the Mount Freedom and Jessamine County Turnpike Road Company," approved March 15, 1870.

41. An act to incorporate Star Lodge, No. 19, Knights of Pythias, of Owensboro.

42. An act to provide for repairing and keeping in repair the public roads of Pulaski county.

43. An act to amend the Boone county road law, chapter 220, Acts 1883-84.

44. An act to extend section 3, of an act, entitled "An act to improve the roads in Monroe, Allen, Cumberland, Wayne and Whitley counties," approved February 25, 1836, to Whitley county.

45. An act to repeal an act, entitled "An act to establish a road law for Grayson and Breckinridge counties."

46. An act to incorporate Allensville Seminary in Todd county, Kentucky.

47. An act to amend an act, entitled "An act to amend an act to empower the County Court of Grant county to make subscriptions to the capital stock of turnpike roads in said county and the amendments thereto, and to authorize said County Court to issue bonds to raise funds to pay said subscriptions," approved February 9, 1884.

48. An act authorizing the Lewis County Court to build a bridge across Kinniconick creek.

49. An act for the benefit of Harry Montgomery, of Scott county.

50. An act to authorize the County Court of Fayette county to appropriate money to complete the Chilesburg and Bryant's Station Turnpike, in Fayette county.

51. An act to amend an act, entitled "An act to incorporate the town of Bethlehem, in Henry county."

52. An act to amend section 1, article 1, chapter 55, General Statutes.

53. An act in relation to school district No. 26, Cedar Run precinct, Franklin county.

54. An act to amend the charter of the city of Hawesville.

55. An act to incorporate the town of Blaine, in Lawrence county.

56. An act to amend an act, entitled "An act to incorporate the Paducah Gas-light Company," approved February 27, 1856.

57. An act to regulate tolls on the Bardstown and Greenview Turnpike Road Company.

58. An act to amend an act, entitled "An act to amend the charter of the city of Louisville," approved May 10, 1884.

Which resolution and bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said resolution and bills being dispensed with,

They were referred—the resolution to the Committee on Federal Relations; the 1st, 6th, 17th, 21st, 28th, 30th, 33d, 39th and 51st to the Committee on Courts of Justice; the 2d, 31st and 32d to the Committee on Banks and Insurance; the 3d and 46th to the Committee on Education; the 4th, 10th, 11th, 12th, 19th, 26th, 27th, 29th, 37th, 40th, 42d, 43d, 44th, 45th, 47th, 48th, 50th, 54th and 56th to the Committee on Internal Improvements; the 5th and 24th to the Committee on Religion and Morals; the 7th, 9th, 14th, 15th, 16th and 34th to the Committee on the Judiciary; the 8th to the Committee on Claims; the 13th to the Committee on Privileges and Elections; the 18th, 23d, 35th, 36th, 38th, 49th, 52d, 53d and 55th to the Committee on General Statutes; the 20th and 22d to the Committee on Propositions and Grievances; the 25th to the Committee on Agriculture and Manufactures; the 41st to the Committee on Charitable Institutions, and the 57th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Alford, from the Committee on Courts of Justice—

A bill to incorporate the Chamber of Commerce of Lexington, Kentucky.

By Mr. Hill, from the same committee—

A bill authorizing the city of Newport, Kentucky, to issue bonds for rebuilding bridge between Newport and Covington.

By Mr. Burnett, from the Committee on General Statutes—

A bill fixing the fees of Justices of the Peace for the county of Calloway for holding Levy Courts, etc., for the said county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the town of Clifton, in Jefferson county," approved April 4, 1884;

An act to amend an act, entitled "An act to incorporate the Kentucky Wagon Manufacturing Company," approved January 16, 1882;

An act to amend an act, entitled "An act to incorporate the Garrard Female College," approved May 6, 1884, and to amend an act, entitled "An act for the benefit of the Garrard Female College," approved April 17, 1884;

Resolution authorizing the Adjutant-General to loan guns to Major Harris Post, Grand Army Republic, at Augusta, Kentucky;

Resolution extending the present session of the General Assembly;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

On motion of Mr. Cravens, leave of absence, indefinitely, was granted to Mr. Sparks.

Mr. Bryan, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to amend the charter of the city of Covington,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hill, from the Committee on Courts of Justice, to whom was recommitted a bill, entitled

A bill to incorporate the Kentucky Household Gas Supply Company,

Reported the same without amendment.

Mr. Hays moved to lay said bill on the table.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and McKee, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. J. Caudill,	L. W. McKee,
A. S. Berry,	Henry Dixon,	J. R. W. Smith,
S. H. Boles,	R. G. Hays,	E. L. Worthington,
R. A. Burnett,	H. T. Kendall,	R. S. Triplett—14.
A. R. Byers,	J. H. McDanell,	

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	F. D. Rigney,
J. W. Bryan,	J. D. Harris,	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	D. H. Smith,
F. M. Clement,	L. M. Martin,	W. H. Taulbee,
W. M. Cravens,	W. F. Neat,	F. T. D. Wallace—17.
W. H. Frederick,	J. N. Price,	

Mr. Simon objected to the further reading of said bill on this day, so the same fell into the orders of the day.

The Senate, according to order, took up for consideration a resolution which originated in the House of Representatives, entitled

Resolution extending the present session of the General Assembly.

[*For resolution, see Senate Journal, February 19th.*]

Mr. Simon proposed the following amendment to said resolution, viz:

Provided, The time for final adjournment is hereby fixed, to wit: On the twenty-ninth day of March, 1886.

Mr. Boles moved the following amendment to the amendment proposed by Mr. Simon to said resolution, viz:

And provided further, That no member of this General Assembly shall receive any *per diem* compensation for his attendance on this General Assembly after the twenty-ninth day of March, 1886, in the event its session should be extended beyond that date.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the amendment proposed by Mr. Simon, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Simon and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,
J. W. Bryan,
A. R. Byers,
W. J. Caudill,
C. M. Clay, Jr.,
John Feland,
W. H. Frederick,
G. G. Gilbert,
S. E. Hill,
L. M. Martin,
W. F. Neat,
F. D. Rigney,
J. T. Simon,
J. R. W. Smith,
W. H. Taulbee,
R. S. Triplett,
Robert Walker—17.

Those who voted in the negative, were—

R. T. Albritton,
M. C. Alford,
A. S. Berry,
R. A. Burnett,
F. M. Clement,
W. M. Cravens,
Henry Dixon,
T. S. Grundy,
J. D. Harris,
R. G. Hays,
H. T. Kendall,
J. H. McDanell,
L. W. McKee,
J. N. Price,
D. H. Smith,
E. R. Sparks,
F. T. D. Wallace,
E. L. Worthington,
J. W. Ogilvie—19.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance o at provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. N. Price,
M. C. Alford,	G. G. Gilbert,	F. D. Rigney,
A. S. Berry,	T. S. Grundy,	D. H. Smith,
R. A. Burnett,	R. G. Hays,	E. R. Sparks,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	L. M. Martin,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. H. McDanell,	E. L. Worthington,
W. M. Cravens,	L. W. McKee,	J. W. Ogilvie—26.
Henry Dixon,	W. F. Neat,	

Those who voted in the negative, were—

S. H. Boles,	J. D. Harris,	J. R. W. Smith,
J. W. Bryan,	S. E. Hill,	R. S. Triplett,
F. M. Clement,	J. T. Simon,	Robert Walker—10.
John Feland,		

Resolved, That the title of said resolution be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend and continue in force chapter 1324, Session Acts of 1881–82, entitled "An act to establish a Superior Court and to regulate same."

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That chapter 1324, Session Acts of 1881–2, entitled "An act to establish a Superior Court and to regulate same," approved April 22, 1882, be amended by striking out the figures 1882 wherever they occur in the first section of said act, and inserting in lieu thereof the figures 1886, and to strike out the figures 1886 wherever they occur in said section, and insert in lieu thereof the figures 1890.

§ 2. That said act, as hereby amended, is continued in force till the first Monday in September, 1890.

§ 3. This act to be in full force and effect from and after its passage.

The amendment heretofore proposed by the committee to said bill, as a substitute therefor, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That chapter 1324, Session Acts of 1881–2, entitled "An act to establish a Superior Court and to regulate same," approved April 22, 1882, be amended by striking out the figures 1882 wherever they occur in the first section of said act, and inserting in lieu thereof the figures 1886, and by striking out the figures 1886 wherever they occur in said section and inserting in lieu thereof the figures 1890.

§ 2. That said act be, and the same is hereby, further amended by adding thereto the following section: § 24. If for any reason the Judges of the Superior Court can not preside in any cause going to that court by law, then the Superior Court shall at once certify said fact, and the clerk shall transfer said case to the docket of the Court of Appeals, and the case shall be decided by that court.

§ 3. That said act, as hereby amended, is continued in force till the first Monday in September, 1890.

§ 4. This act to be in full force and effect from and after its passage.

Mr. Bryan had heretofore proposed the following amendment to said bill, viz:

Provided, That when said Superior Court refuses to grant an appeal, the party seeking such appeal may, within two days after such refusal, present the record to the Court of Appeals, and move for an appeal from the decision of said Superior Court, and said Court of Appeals may grant such appeal to it, and thereupon the clerk shall docket said cause in the Court of Appeals. If for any reason the Judges, or any two of them, of the Superior Court can not preside in any cause going to that court by law, then the record in said case shall be upon such certificate being made by said Superior Court, the clerk shall transfer said case to the docket of the Court of Appeals, and the case be decided by that court.

Mr. Boles had heretofore proposed the following amendment to said bill, viz:

Amend the bill by striking out the figures "$3,600" wherever they may occur in the bill, and inserting in lieu thereof the figures "$2,400."

Mr. Martin had heretofore proposed an amendment as a substitute for said bill and proposed amendments, which reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the first section of an act, entitled "An act to establish a Superior Court, and to regulate the same," approved April 22, 1882, be, and the same is hereby, amended by inserting after the figures "1886" therein, the following: "On the first Monday in August, 1886, there shall be elected by the qualified voters of this Commonwealth three persons as Judges of said court, whose term of office shall commence on the first Monday in September, 1886, and continue until the first Monday in June, 1890."

§ 2. Whenever the Judges can not preside in any case taken to that court by law, the court shall certify that fact; thereupon the clerk shall transfer said case to the docket of the Court of Appeals, and the case shall be decided by that court.

§ 3. This act shall take effect from and after its passage.

Mr. Boles proposed the following amendment to said proposed substitute, viz:

Amend by adding the following section: "That the Judges of said Superior Court shall receive as an annual salary the sum of $2,400."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boles and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	J. N. Price,
S. H. Boles,	W. H. Frederick,	F. D. Rigney,
R. A. Burnett,	T. S. Grundy,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	Robert Walker—14.
F. M. Clement,	W. F. Neat,	

Those who voted in the negative, were—

M. C. Alford,	J. D. Harris,	J. W. Ogilvie,
A. S. Berry,	R. G. Hays,	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	W. H. Taulbee,
W. M. Cravens,	L. M. Martin,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
G. G. Gilbert,	L. W. McKee,	F. T. D. Wallace—18.

Mr. Simon proposed the following amendment to said proposed substitute offered by Mr. Martin, viz:

Amend the substitute by adding the following section thereto: That all of section 5 of said act creating the said court after and including the word "except" in the third line of said section be, and the same is hereby, stricken out, and hereafter appeals shall be granted to the Court of Appeals from the said Superior Court.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Simon and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	F. M. Clement,	J. N. Price,
S. H. Boles,	Henry Dixon,	F. D. Rigney,
J. W. Bryan,	John Feland,	J. T. Simon,
R. A. Burnett,	J. D. Harris,	J. R. W. Smith,
A. R. Byers,	W. F. Neat,	W. H. Taulbee—15.

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	L. W. McKee,
A. S. Berry,	R. G. Hays,	J. W. Ogilvie,
C. M. Clay, Jr.,	S. E. Hill,	E. R. Sparks,
W. M. Cravens,	H. T. Kendall,	R. S. Triplett,
W. H. Frederick,	L. M. Martin,	E. L. Worthington,
G. G. Gilbert,	J. H. McDanell,	F. T. D. Wallace—18.

The question was then taken upon the adoption of the amendment proposed by Mr. Martin as a substitute for said bill and proposed amendments, and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	J. W. Ogilvie,
M. C. Alford,	W. H. Frederick,	J. T. Simon,
A. S. Berry,	G. G. Gilbert,	E. R. Sparks,
J. W. Bryan,	R. G. Hays,	W. H. Taulbee,
W. J. Caudill,	S. E. Hill,	F. T. D. Wallace,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
W. M. Cravens,	J. H. McDanell,	L. W. McKee—21.

Those who voted in the negative, were—

S. H. Boles,	T. S. Grundy,	F. D. Rigney,
R. A. Burnett,	H. T. Kendall,	D. H. Smith,
A. R. Byers,	W. F. Neat,	J. R. W. Smith,
F. M. Clement,	J. N. Price,	R. S. Triplett—13.
John Feland,		

Resolved, That the title of said bill be as aforesaid.

Mr. Worthington moved to reconsider the vote by which the Senate had passed said bill.

Mr. Wallace moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

A bill to establish the Nineteenth Circuit Court Judicial District, to be composed of the counties of Clay, Leslie, Perry, Breathitt, Knott and Letcher.

Mr. Caudill proposed an amendment as a substitute for said bill.

On motion of Mr. Caudill,

Ordered, That the further consideration of said bill and proposed amendment be postponed until to-morrow, February 25th, at 11 o'clock A. M.

The Speaker, under a resolution heretofore adopted by the Senate, appointed Messrs. Bryan, Price and Wallace, a committee to visit the city of Louisville and investigate the cost of transcribing record and deed books in the several courts of Jefferson county, alleged to be $7,969.78, as appears in note on page 149, of Auditor's last report, and also to investigate the item of $15,050.96, as shown on page 51 of same report, and report to the Senate under and by what authority of law same was paid.

On motion of Mr. J. R. W. Smith, Mr. Frederick was added to the Committee on Charitable Institutions.

Mr. Berry, from the Committee on Education, to whom was referred leave to bring in the same, reported a bill, entitled

A bill repealing part of section 9, article 4, of an act to amend and reform the common school laws of this Commonwealth, approved May 12, 1884.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. D. H. Smith objected to the further reading of said bill on this day, so the same fell in the orders of the day.

Mr. Hays moved that the rules be suspended and that the Senate take up for consideration a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the charter of the city of Louisville," approved May 10, 1884.

And the question being taken thereon, it was decided in the affirmative.

Said bill was then read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Berry moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Taulbee and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	J. H. McDanell,	D. H. Smith,
J. W. Bryan,	L. W. McKee,	W. H. Taulbee—8.
G. G. Gilbert,	W. F. Neat,	

Those who voted in the negative, were—

R. T. Albritton,	W. M. Cravens,	L. M. Martin,
M. C. Alford,	John Feland,	F. D. Rigney,
A. S. Berry,	T. S. Grundy,	J. T. Simon,
R. A. Burnett,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	S. E. Hill,	E. L. Worthington,
F. M. Clement,	H. T. Kendall,	F. T. D. Wallace—18.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Taulbee—

1. A bill to grant John M. Patrick, Jeff. Arnett and Levi Patrick the privilege to establish and operate a boom at and across the mouth of the middle fork of Licking river, in the county of Magoffin.

On motion of Mr. Bryan—

2. A bill to amend the charter of the city of Covington.

On motion of Mr. Worthington—

3. A bill amending an act incorporating the James H. Hall Eagle Plow Company, approved January 24, 1878.

On motion of same—

4. A bill to amend the charter of the city of Maysville.

On motion of Mr. Wallace—

5. A bill incorporating the Ohio, Kentucky and Virginia Railroad Company.

On motion of Mr. Simon—

6. A bill to authorize the Butler and Greenwood Turnpike Company to erect and maintain a toll-gate within one mile of the town of Butler.

On motion of Mr. Burnett—

7. A bill fixing the fees of Justices of the Peace in Calloway county for holding Levy Courts.

On motion of Mr. Berry—

8. A bill repealing part of section 9, article 4, of an act to amend and reform the common school laws of this Commonwealth, approved May 12, 1884.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st, 3d and 4th; the Committee on Education the 8th; the Committee on the Judiciary the 2d; the Committee on Railroads the 5th, and the Committee on General Statutes the 6th and 7th.

And then the Senate adjourned.

THURSDAY, FEBRUARY 25, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to prohibit the sale of spirituous, vinous and malt liquors and mixtures of same, and all bitters and nostrums which intoxicate, in Graves county, Ky., and to provide for a vote of the legal voters of said county thereon.

That they had passed bills which originated in the Senate of the following titles, viz:

An act to repeal all laws providing for the election of Warden of the Penitentiary by the General Assembly, and providing for the compensation of the present Warden, and the election of Wardens in future by the Commissioners of the Sinking Fund.

An act to repeal an act, approved May 10, 1884, and entitled "An act to amend the charter of the Louisville Southern Railroad Company," approved April 28, 1884.

An act to amend an act, entitled "An act to incorporate and establish a system of public schools in the town of Elkton, Todd county, and within a radius of three miles of the courthouse in said town."

An act to amend an act, approved April 28, 1884, and entitled "An act to amend an act to incorporate the Louisville, Harrodsburg and Virginia Railroad Company," approved March 9, 1868, and to change the name of said company to that of the Louisville Southern Railroad Company.

With an amendment to the last-named bill.

Mr. Clay moved that the rules be suspended, and that said amendment be taken up for consideration.

And the question being taken thereon, it was decided in the negative.

Mr. Hays moved that the rules be suspended for the purpose of taking up said bill and the amendment thereto, and referring the same to an appropriate committee.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Hays, said bill and amendment was referred to the Committee on Railroads, with directions to report upon the amendment on Wednesday next, March 3d, at 11 o'clock A. M.

A message was received from the House of Representatives announcing that they had passed bills of the following titles, viz:

1. An act to authorize the congregation Adas Israel, of the city of Louisville, to issue bonds.

2. An act to authorize and empower the city of Bowling Green to erect and maintain a system of electric lights in said city, and to issue bonds for said purpose.

3. An act to amend the charter of the town of Harrodsburg, in Mercer county.

4. An act to incorporate the Bowling Green and Northern Railroad Company.

5. An act for the benefit of Hardin county, and to dispose of a surplus fund in the hands of the Commissioners of the Sinking Fund of said county.

6. An act to amend the charter of the city of Newport in relation to common schools in said city.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 5th to the Committee on Finance; the 2d to the Committee on Courts of Justice; the 3d to the Committee on Propositions and Grievances, and the 4th to the Committee on Railroads.

Ordered, That the 6th, the last-named bill, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Frederick, leave of absence indefinitely was granted Mr. Taulbee.

Mr. Berry moved the following resolution, viz:

Resolved, That the Auditor of State be requested to report to this body the amount of receipts and disbursements of the Trustee of the Jury Fund in Jefferson county, and the compensation he receives for the services he renders.

Which was twice read, and adopted.

Mr. Neat, from the Committee on Enrollments, reported that the Committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act concerning the county revenue of Jefferson county;

An act to amend an act, entitled "An act to amend the charter of the city of Louisville," approved May 10, 1884;

And enrolled bills and a resolution which originated in the Senate of the following titles, viz:

An act to amend the charter of the Jefferson Railway Company, approved January 11, 1867;

An act to repeal all laws providing for the election of Warden of the Penitentiary by the General Assembly, and providing for the compensation of the present Warden and the election of Wardens in future by the Commissioners of the Sinking Fund;

Resolution to pay J. Edward Galbraith $100 as Special Bailiff in Jefferson Circuit Court;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate took up for consideration a bill, entitled

A bill repealing part of section 9, article 4, of an act to amend and reform the common school laws of this Commonwealth, approved May 12, 1884.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of section 9, article 4, of an act, entitled "An act to amend and reform the common school laws of this Commonwealth," approved May 12, 1884, as directs "that at the time and place of holding the session of one of the said institutes as may be elected by the State Board of Education, the State Teachers' Association aforesaid shall be held," be, and the same is hereby, repealed.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, February 25, 1886.

Gentlemen of the Senate:

I regret extremely to find it my duty to return to you for reconsideration a bill, entitled "An act in relation to infectious and contagious diseases of cattle;" for no one could more fully appreciate the importance of preventing the occurrence of such diseases in our midst, or be more willing to aid in all legitimate measures for their speedy and thorough extirpation than myself. This, I think, I have fully attested. When informed that contagious pleuro-pneumonia had exhibited itself in a herd of cattle in Harrison county, I at once called attention to the ample and efficient means afforded by existing laws for its prompt and complete suppression. Finding that no steps had been taken by any one to arrest or eradicate the disease through the familiar and effective remedies furnished by the common law, notwithstanding three terms of the Circuit Court had elapsed since its appearance in the county had become generally known, and its dangerous and destructive nature fully understood, I deemed it my duty to bring the matter to the notice of the General Assembly at the opening of your present session, and signified my willingness to cordially co-operate with the legislative department in such measures consistent with the organic law of the Commonwealth, as its wisdom might devise for the thorough

and expeditious extermination of the pernicious evil. I have accordingly divested myself of all preference for any opinion of my own as to the method which should be adopted, and given to this bill the most careful and patient consideration, hoping to find it compatible with my official obligation to approve it. That, however, I have been unable to do. On the contrary, the more I have considered it the more I have become impressed with the opinion that it is, in many respects, totally repugnant to the fundamental principles of constitutional government. I clearly recognize the wide range of what is known as the "police power of the State." I am aware that it pervades every department of business, and reaches to every interest, and every subject of profit or enjoyment. I know that in its exercise the sovereign may do whatever may be necessary to protect the lives, limbs, comfort, peace, and prosperity of all persons in the Commonwealth. It may not only compel all persons to deport themselves, so as to insure the good order of society, but may subject all descriptions of property to such burdens and restraints as may be requisite to the security, health, comfort and prosperity of the community. Under that power it may make whatever regulations may be necessary to prevent the introduction or spread of contagious diseases among cattle, including even the destruction of property, without compensation to the owner. It may go further than this. It may make it a felony for any one to bring into the State any cattle, knowing them to be infected with a contagious disease, or to have been exposed to such contagion, or to keep any such cattle in his possession a single day, knowing them to be so infected, or to have been so exposed, or with such knowledge to suffer them to be removed from his premises under any pretext whatever, or to be otherwise used so as to endanger the interests of others. Yet that far-reaching power must, in constitutional government like ours, be exercised within constitutional limitations, by constitutional agencies, and in constitutional methods. The main object of the Constitution, in fact, is to establish those agencies, and define their authority with respect to the application of his power. Paramount among the authorities thus defined is that of legislation, the authority to prescribe fixed and definite rules for the regulation of the conduct of the individual, rules to compel him to perform his duty,

and to protect him in his rights. That authority is by the first section of the second article of our Constitution, vested in the General Assembly. There, and there only, can it be exercised. It can be transferred to no other person or set of persons whatever.

As a distinguished jurist has observed: "One of the settled maxims in constitutional law is, that the power conferred on the Legislature to make laws cannot be delegated by that department to any other body or authority. Where the sovereign power of the State has located the authority there it must remain; and by the constitutional agency alone the laws must be made until the Constitution itself is changed. The power to whose judgment, wisdom and patriotism this high prerogative has been intrusted can not relieve itself of the responsibility by choosing other agencies upon which the power shall be developed. Nor can it substitute the judgment, wisdom, and patriotism of any other body for those to which alone the people have seen fit to confide that sovereign trust." In a word, no other body can be authorized by the Legislature to determine by any proclamation, rule or regulation, what state of facts shall constitute a crime against the Commonwealth. With this fundamental principle it seems to me the bill under consideration is totally inconsistent. It proposes to confer upon the State Board of Health—a body composed of seven citizens—unlimited powers, whenever any contagious or infectious disease affecting cattle shall exist anywhere in the State, to make any order it may see proper, not only for the sequestration or destruction of all such animals as may have become infected with, or exposed to, such disease, and for the disinfection of all premises or property which the board may suppose to have been contaminated with its virus, but requiring all persons in the Commonwealth, whether within the sphere of the contagion or not, to do whatsoever the board may prescribe—however arbitrary, unnecessary, inconvenient or expensive it may be—in order to prevent the disease from spreading. There is no limitation upon the extraordinary power sought to be conferred upon the board except its own discretion. It extends to the absolute inhibition of all commerce in cattle anywhere in the Commonwealth, if the board should see proper, upon the appearance of the disease

at any place in the State. It may, if it see proper, order the owners of cattle in any neighborhood or county, or throughout the entire Commonwealth, to keep their cattle confined in their own inclosures for such period of time as it may deem expedient, and yet if any citizen shall knowingly transgress, violate, or fail to comply with any proclamation, order or regulation it may make, he is liable to a fine of not less than $200 nor more than $1,000.

I do not mean to intimate that the Board of Health would, under any circumstances, willfully abuse its trust by placing onerous and unnecessary burdens upon any one. I am simply asserting that if this bill is valid it would empower it to do so. My real objection is that it can not be constitutionally empowered to make any thing a crime to-morrow which was not a crime yesterday, or is not to-day. That the discretion of no board, whether wise or unwise, can be substituted for the wisdom and patriotism of those whom the people have chosen to prescribe their rules of conduct. It will not do to say that such a delegation of legislative authority is constitutional because it is within "the police power of the State" to devise methods for the prompt suppression of contagious diseases. The entire range of criminal jurisprudence is as much within the general police power of the State as that which relates to criminal nuisances, or the preservation of the public health, or the suppression or extirpation of contagious diseases among cattle. If, therefore, the Legislature can empower any particular body of men to prescribe what shall be done by the people of the Commonwealth with regard to such diseases, and the animals affected by them, and declare that nonconformity to their edict shall be a misdemeanor punishable by fine, it would be equally competent for it to empower another body of men to prescribe rules and regulations with regard to any and all other cases of criminal conduct, or matters of private right whatever. That boards may be created by the Legislature with definite powers to aid in the prevention or suppression of contagious diseases, either among men or domestic animals, I do not pretend to deny. But those powers, in my judgment, can only be ministerial or judicial in their character, and not legislative. The supreme power in the State must, through its constitutional agency, prescribe in all cases "the

rule of civil conduct, commanding what is right, and prohibiting what is wrong." If it is to be made criminal for any person to keep in his possession animals affected with a contagious disease; or to fail to destroy them; or to permit them to be removed from his premises; or for any one to allow his cattle to go outside of his own inclosure; or to suffer others to be brought on his premises after he has knowledge that a contagious disease exists among cattle within a certain distance of his own, and until such disease shall have been extirpated; or to do, or fail to do, any other particular thing, the Legislature must so declare, and prescribe the penalty. Nor must it be understood that this principle is in conflict with the powers of local self-government, conferred upon inferior municipal organizations. Without discussing here the principles from which those powers are derived, it is sufficient to quote the remark of Judge Cooley in his work on Constitutional Limitations: "The Legislature in these cases is not regarded as delegating its authority, because the regulations of such local affairs as are commonly left to local boards and officers is not understood to belong properly to the State."

The bill is, however, obnoxious to another objection equally, if not more, insuperable. It not only proposes to confer upon the State Board of Health the power to prescribe regulations for the destruction of all animals affected with a contagious or infectious disease, and for the proper disposition of their hides and carcasses, and of all objects which might convey infection or contagion, all at the owner's expense, but to command the Sheriffs and Deputy Sheriffs to assist in enforcing any order which the board in its almost limitless discretion may see proper to make, and those officers dare not disobey any such order without incurring the penalty of a fine of not less than $200 nor more than $1,000; the only restriction upon its authority being in the proviso: "That no animal shall be destroyed by said board unless first examined by a veterinary practitioner in the employ or under the direction of said board, or unless the owner knows that such cattle is so affected." It would seem, therefore, that the board is not only to make the laws under which it shall act, but are to sit as judges upon the diseased cattle, "denounce the death penalty," and act as executioners of their own decrees.

Yet no provision is made anywhere that the owner of the cattle is to have a hearing of any kind, or any notice of the proceeding until the bill of costs is presented to him for payment. No mode of trial is indicated, no appeal allowed, no method of determining whether the owner had knowledge that his cattle were diseased, and no safe-guard to his property in them, except, perhaps, the opinion of a "veterinary practitioner in their employ or under the direction of said board," which might or might not be infallible. It seems to me that this is certainly in direct contravention of the provision of our Bill of Rights, which has come down to us from Magna Charta: "That no man shall be deprived of his property unless by the judgment of his peers or the law of the land"—the law which, as Mr. Webster said in the celebrated Dartmouth College case, hears before it condemns; which proceeds upon inquiry, and renders judgment after trial.

Section 9 of the bill is amenable to the same criticism. It provides that: "If any person shall be convicted of a violation of the third, fourth or fifth section of this act, the jury shall have the power to determine by their verdict whether or not such person is at the time of his trial and conviction the owner of any cattle which have been exposed to said disease, by having been within the same inclosure with a diseased animal within four months next before the trial, and if they find he has such cattle, they will find the number, sex, and distinguishing marks, and it shall be the duty of the court to order the destruction of said cattle by the Sheriff at the owner's expense, and the expense thereof shall be taxed as costs in the case." In other words, the accused may be indicted for disobeying some proclamation, order or regulation of the board, and if found guilty, he may also be convicted of another crime committed, perhaps, a year afterwards, of which he had never been accused, or may have never even suspected, until informed by some witness on the stand, who may have seen some animal infected with pleuro-pneumonia in a pasture with defendant's cattle for a few minutes within the four months last preceding the trial, whereupon his whole herd may be condemned to slaughter, whether actually infected or not, and judgment rendered against him for the expense of its destruction. In my judgment this would not only be depriving

him of his property without the "due process of law" contemplated by the Constitution, but in plain violation of another provision in the Bill of Rights which guarantees to every one the right to be informed of the nature and cause of the accusation against him before he shall be tried or convicted of a criminal offense.

My objection to that feature of the bill which would have the effect of levying an involuntary contribution upon the tax payers of the Commonwealth to re-imburse the owners of a particular species of property for its necessary destruction on account of a misfortune incident to its nature are already known. They were expressed so fully in the message I had the honor to send you at the opening of your present session that it would seem like a want of proper respect to abuse your patience by repeating them here. I have carefully reviewed the opinion there expressed, but have been unable to find any reason for changing it. It is not the amount of money, but the importance of the principles involved, which impels me to the unpleasant duty of disapproving the act of a co-ordinate department of the government for which I entertain the profoundest respect.

J. PROCTOR KNOTT.

[*For bill, see Senate Journal, January 13th.*]

On motion of Mr. Clay, said bill and veto message was referred to the Committee on the Judiciary, with directions to report on to-morrow at 10:45 o'clock A. M.

A message, in writing, was also received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 25, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

W. C. McChord, Washington county.
Jas. S. Ray, Jefferson county.
Jno. S. Jackman, Jefferson county.
Susan P. Hathaway, Jefferson county.
D. H. Howard, Marion county.
Jos. M. Tanner, Fayette county.
Jno. G. Ellis, Kenton county.
D. M. Bright, Madison county.
T. O. B. Northcup, Grant county.
C. H. Shield, Jr., Jefferson county.
J. F. Bullitt, Jr., Jefferson county.
Harry E. Johnson, Jefferson county.
T. F. Curley, Boone county.
John P. Sacksteder, Jefferson county.
W. L. Thurber, Rowan county.
M. J. Brown, Campbell county.
Andrew A. Davis, Fulton county.
Isaiah Grigsby, Lewis county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

The Senate, according to order, took up for consideration a bill, entitled

A bill to repeal an act, entitled "An act to amend section 6, article 13, chapter 38, General Statutes," approved April 22, 1884.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to amend section 6, article 13, chapter 38, of the General Statutes," approved April 22, 1884, pages 75 and 76 of Session Acts of 1883 and 1884, be, and the same is hereby, repealed.

§ 2. This act shall take effect and be in force from and after its passage.

Mr. Simon proposed the following amendment to said bill, viz:

Amend by adding to the first section the following words, to wit: "The said sixh section of article (XIII) thirteen be, and the same is hereby, restored, and to remain in full force and effect as it stood before the enactment of the said act hereby repealed."

Mr. Hays moved to lay said bill and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and Simon, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	R. G. Hays,	J. R. W. Smith,
J. W. Bryan,	W. F. Neat,	R. S. Triplett,
A. R. Byers,	J. N. Price,	Robert Walker,
Henry Dixon,	D. H. Smith,	J. H. Wilson—12.

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	J. H. McDanell,
A. S. Berry,	T. S. Grundy,	J. W. Ogilvie,
S. H. Boles,	J. D. Harris,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	J. T. Simon,
C. M. Clay, Jr.,	H. T. Kendall,	E. L. Worthington,
F. M. Clement,	L. M. Martin,	F. T. D. Wallace—19.
John Feland,		

Mr. Feland moved to recommit said bill and proposed amendment to the Committee on General Statutes, with instructions to bring in a general bill defining exactly the personal property which shall be exempt from attachment, execution and distress.

Mr. Hays moved to postpone the further consideration of said bill and proposed amendment indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	R. G. Hays,	R. S. Triplett,
J. W. Bryan,	W. F. Neat,	Robert Walker,
A. R. Byers,	J. N. Price,	J. H. Wilson—11.
Henry Dixon,	D. H. Smith,	

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	J. H. McDanell,
A. S. Berry,	T. S. Grundy,	J. W. Ogilvie,
S. H. Boles,	J. D. Harris,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	J. T. Simon,
C. M. Clay, Jr.,	H. T. Kendall,	E. L. Worthington,
F. M. Clement,	L. M. Martin,	F. T. D. Wallace—19.
John Feland,		

The question was then taken on Mr. Feland's motion to recommit said bill and proposed amendment to the Committee on General Statutes, with special instructions, and it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

A bill to appropriate money to be applied to the procurement by purchase or otherwise of a permanent home for the friendless and fallen women of Kentucky.

Ordered, That said bill be engrossed, and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, The Women's Christian Association, of Louisville, Kentucky, in addition to its other charitable enterprises, has undertaken to establish and maintain in said city a home where the friendless and fallen women of this State may be maintained temporarily, protected and reclaimed from their lives of sin. The corporation has for near ten years rented such a house as their scanty means allowed, and conducted this home by the donations of the citizens of said city. Much good has been done in this noble enterprise, numbers of fallen women have been rescued from prostitution and become dutiful wives, tender mothers and faithful servants. These results having been accomplished with such limited means, and under such restricted circumstances, are an earnest of the magnificent results that will be accomplished, if said corporation shall be enabled by State appropriation to secure a moderate home where the many that seek shelter, protection and refuge from their degraded and miserable condition may be cared for and protected until reclaimed and restored to usefulness; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $8,000 is hereby donated to the Women's Christian Association, of Louisville, to enable said corporation to procure a suitable lot and buildings in said city, to be used as a home for the friendless and fallen women of the State of Kentucky, the same to be paid out of any money

in the Treasury not otherwise appropriated, and the Auditor of Public Accounts is directed to draw his warrant on the Treasury in favor of the trustees of said corporation for said sum. Said trustees shall use said money in the purchase of improved property, or in the purchase of a lot, and construct thereon buildings suitable for such home, and the money hereby donated, together with any other sums which may have been, or which may hereafter be, appropriated from any source whatever for the purpose above specified, shall not be, nor shall any part of the same be, used or appropriated for any other purpose unless with the consent of the donor or donors thereof.

§ 2. If said property shall cease to be used for the benefit of friendless and fallen women, as specified in the first section of this act, it shall revert to and become the property of the State to the extent of the money appropriated herein by the State.

§ 3. Before receiving said money the trustees or the chairman thereof, of said corporation, shall take an oath and sign and deliver the same to the Treasurer of the State, that they will faithfully appropriate the money herein donated to the uses and purposes designated in this act, and that no part of the same shall be diverted therefrom unless with the consent of the donor or donors thereof.

§ 4. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

A. R. Byers,	W. H. Frederick,	R. S. Triplett,
Henry Dixon,	J. R. W. Smith,	J. H. Wilson—6.

Those who voted in the negative, were—

R. T. Albritton,	J. D. Harris,	J. N. Price,
A. S. Berry,	R. G. Hays,	F. D. Rigney,
S. H. Boles,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	H. T. Kendall,	D. H. Smith,
R. A. Burnett,	L. M. Martin,	Robert Walker,
F. M. Clement,	J. H. McDanell,	E. L. Worthington,
John Feland,	W. F. Neat,	F. T. D. Wallace—23.
T. S. Grundy,	J. W. Ogilvie,	

So said bill was rejected.

The Senate, according to order, took up for consideration a bill, entitled

A bill for the maintenance and burial of pauper idiots.

On motion of Mr. Hill,

Ordered, That said bill and the proposed amendments thereto be recommitted to the Committee on General Statutes.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill to prohibit the sale of spirituous, vinous or malt liquors or the mixture of either, within one mile of Park, in the county of Barren, in the State of Kentucky.

By Mr. Simon, from the Committee on General Statutes—

A bill to prevent stock from running at large in Pendleton county.

By same—

A bill to amend an act, approved the seventeenth of April, 1882, entitled "An act to authorize the construction and maintenance of a court-house in Newport, in Campbell county, and to increase the powers and duties of the commissioners of the said district."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Berry, from the Committee on Education—

An act for the benefit of school district No. 12, in Kenton county.

By Mr. Dixon, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to arrange the business of the Union Circuit Court, and directing the clerk to docket the cases in accordance therewith."

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to amend the charter of the Simpson County Agricultural and Mechanical Association.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to incorporate the Commercial Bank, of Catlettsburg.

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Boles,

1. A bill to prohibit the sale of spirituous, vinous or malt liquors in the village of Park, in Barren county, or within one mile thereof.

On motion of Mr. Gilbert—

2. A bill to incorporate the Spencer Cemetery Company.

On motion of Mr. Feland—

3. A bill to amend the common school law of Kentucky.

On motion of Mr. Wallace—

4. A bill to amend section 5, article 6, of the charter of the city of Ashland, in Boyd county.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st; the Committee on Internal Improvements the 2d; the Committee on Education the 3d, and the Committee on General Statutes the 4th.

And then the Senate adjourned.

FRIDAY, FEBRUARY 26, 1886.

The reading of the Journal of yesterday was dispensed with.

Leave was granted to bring in the following bill, viz:

On motion of Mr. Feland—

A bill for the benefit of Dr. E. R. Cook, of Christian county.

Ordered, That the Committee on Finance prepare and bring in said bill.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to prevent obstructions of turnpike roads in Anderson county."

An act for the benefit of the public schools of the Commonwealth in cities having a population of 20,000 and over.

With an amendment to the last-named bill.

Which was taken up, twice read, and concurred in.

That they had passed bills of the following titles, viz:

1. An act to amend sections 6 and 8, of chapter 70, General Statutes.

2. An act for the benefit of P. A. Cline, late Sheriff of Pike county.

3. An act to authorize the Boyle County Court to levy and collect an ad valorem tax to pay the ordinary expenses of Boyle county.

4. An act giving the Constable of the Lebanon district, in Marion county, the power to appoint a deputy.

5. An act for the benefit of Farish Arnett, of Magoffin county.

6. An act to incorporate the Case Crowder and Baker Turnpike Road Company.

7. An act to amend an act, entitled "An act to incorporate the Falmouth and Lenoxburg Turnpike Road Company," approved May 5, 1880.

8. An act to empower the Jailer of Kenton county to appoint a Deputy Jailer.

9. An act to empower the Woodford County Court to make an appropriation for the improvement of the Versailles and Harrodsburg Turnpike Road, in Woodford county.

10. An act to charge the boundary of the town of Ghent, in Carroll county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on General Statutes; the 2d and 5th to the Committee on Claims; the 3d to the Committee on Finance; the 4th to the Committee on the Judiciary; the 6th to the Committee on Internal Improvements, and the 7th to the Committee on Executive Affairs.

Ordered, That the 8th, 9th and 10th, the three last-named bills, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Frederick moved the appointment of a committee by the Senate to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the charter of the city of Louisville," approved May 10, 1884.

Mr. Harris moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	T. S. Grundy,	J. T. Simon,
M. C. Alford,	J. D. Harris,	J. R. W. Smith,
J. W. Bryan,	R. G. Hays,	F. T. D. Wallace,
R. A. Burnett,	H. T. Kendall,	J. H. Wilson,
W. J. Caudill,	L. M. Martin,	E. L. Worthington,
F. M. Clement,	J. H. McDanell,	W. F. Neat—19.
G. G. Gilbert,		

Those who voted in the negative, were—

A. S. Berry,	John Feland,	J. N. Price,
S. H. Boles,	W. H. Frederick,	F. D. Rigney,
A. R. Byers,	S. E. Hill,	D. H. Smith—11.
W. M. Cravens,	J. W. Ogilvie,	

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill which originated in the Senate, entitled

An act in relation to infectious and contagious diseases of cattle,

Together with the message of the Governor vetoing the same,

Reported said bill with the expression of opinion that it ought to pass, the objection of the Governor to the contrary notwithstanding.

[*For bill, see Senate Journal of January 13, 1886.*]

[*For Governor's Veto, see Journal of yesterday.*]

The question was then taken on the passage of said bill, the objection of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
A. S. Berry,	T. S. Grundy,	J. T. Simon,
C. M. Clay, Jr.,	J. D. Harris,	J. R. W. Smith,
W. M. Cravens,	R. G. Hays,	Robert Walker,
Henry Dixon,	H. T. Kendall,	E. L. Worthington,
John Feland,	L. M. Martin,	L. W. McKee—20.
W. H. Frederick,	J. H. McDanell,	

Those who voted in the negative, were—

R. T. Albritton,	W. J. Caudill,	F. D. Rigney,
S. H. Boles,	F. M. Clement,	D. H. Smith,
J. W. Bryan,	S. E. Hill,	R. S. Triplett,
R. A. Burnett,	W. F. Neat,	F. T. D. Wallace,
A. R. Byers,	J. W. Ogilvie,	J. H. Wilson—15.

Resolved, That the title of said bill be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 26, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent, will appoint Dr. J. Q. A. Stewart, Medical Superintendent, and Richard L. Tobin, Steward, of the Institution for the Education and Training of Feeble-minded Children.

Very respectfully,

J. PROCTOR KNOTT.

Ordered, That said nominations be referred to the Committee on Charitable Institutions.

The Senate, according to order, took up for consideration a bill, entitled

A bill to establish the Nineteenth Circuit Court Judicial District, to be composed of the counties of Clay, Leslie, Perry, Breathitt, Knott and Letcher,

By unanimous consent, Mr. Caudill withdrew the amendment heretofore proposed by him as a substitute for said bill.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Nineteenth Circuit Court Judicial District be, and the same is hereby, established, to be composed of the counties of Clay, Leslie, Perry, Breathitt, Knott and Letcher.

§ 2. That a term of the Circuit Court shall be held at the court-house in each of said counties, commencing at the time herein specified, and continuing the number of days allotted to each term, if the business require it, viz:

In Clay county the first Mondays in September and March, and continue thirty-four juridical days each.

In Leslie the first Mondays in October and April, and continue twelve juridical days each.

In Perry the third Mondays in October and April, and continue eighteen juridical days at fall term and twelve juridical days at spring term.

In Breathitt the second Monday in November and the first Monday in May, and continue twenty-four juridical days at the fall term and eighteen juridical days at the spring term.

In Knott the second Monday in December and the first Monday in June, and continue eighteen juridical days at fall term and twelve juridical days at spring term.

In Letcher the first Monday in January and the third Monday in June, and continue eighteen juridical days each.

§ 3. A Circuit Judge and Commonwealth's Attorney shall be elected in said judicial district on the first Monday in August, 1886, and at the same time in every sixth year thereafter.

§ 4. That this act shall take effect, and be in force from and after the first Monday in July, 1886.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	F. D. Rigney,
S. H. Boles,	R. G. Hays,	D. H. Smith,
J. W. Bryan,	S. E. Hill,	J. R. W. Smith,
A. R. Byers,	L. M. Martin,	R. S. Triplett,
W. J. Caudill,	J. H. McDanell,	Robert Walker,
C. M. Clay, Jr.,	W. F. Neat,	F. T. D. Wallace,
W. M. Cravens,	J. W. Ogilvie,	E. L. Worthington,
John Feland,	J. N. Price,	J. H. Wilson—25.
W. H. Frederick,		

Those who voted in the negative, were—

J. D. Harris, H. T. Kendall—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Price, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of J. M. Nesbitt, of Bath county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant upon the Treasury of this Commonwealth in favor

of J. M. Nesbitt, for the sum of $250, in full for his fee as attorney for the plaintiff in the action of the Commonwealth of Kentucky against W. W. Baldwin, in the Montgomery Circuit Court.

§ 2. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
S. H. Boles,	T. S. Grundy,	F. D. Rigney,
J. W. Bryan,	J. D. Harris,	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	Robert Walker,
F. M. Clement,	J. H. McDanell,	F. T. D. Wallace,
W. M. Cravens,	L. W. McKee,	E. L. Worthington,
John Feland,	W. F. Neat,	J. W. Ogilvie—22.
W. H. Frederick,		

Those who voted in the negative, were—

R. T. Albritton,	J. R. W. Smith,	J. H. Wilson—5.
H. T. Kendall,	R. S. Triplett,	

Resolved, That the title of said bill be as aforesaid.

Mr. Ogilvie, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of J. L. Yadon, of Laurel county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon,

Ordered, That said bill be placed in the orders of the day.

Mr. Ogilvie, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of D. D. Owens, of Pulaski county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, D. D. Owens was appointed assistant elisor by the Judge of the Pulaski Circuit Court at its April and October terms, 1878, and an order was made by said judge appropriating said D. D. Owens the sum of $105 for his services as said elisor, to be certified to the Auditor of Public Accounts for payment, and the same being wholly unpaid; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer in favor of said D. D. Owens for $105, payable out of any money in Treasury not otherwise appropriated.

§ 2. This act shall take effect from and after its passage.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	R. G. Hays,	F. D. Rigney,
A. R. Byers,	S. E. Hill,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	R. S. Triplett,
F. M. Clement,	J. H. McDanell,	Robert Walker,
W. M. Cravens,	L. W. McKee,	F. T. D. Wallace,
John Feland,	W. F. Neat,	J. H. Wilson—20.
T. S. Grundy,	J. W. Ogilvie,	

Those who voted in the negative, were—

R. T. Albritton,	S. H. Boles,	E. L. Worthington,
M. C. Alford,	G. G. Gilbert,	J. D. Harris—6.

Resolved, That the title of said bill be as aforesaid.

Mr. McDanell, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Turner Hughes, of Lee county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Neat, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of George W. Brown, of Louisville,

Reported the same with the expression of opinion that said bill ought not to pass.

Mr. Hill moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on ordering said bill to a third reading, the opinion of the committee to the contrary, notwithstanding, and it was decided in the affirmative.

Said bill was then read a third time as follows, viz:

WHEREAS, George W. Brown, owner of the restaurant privileges at the Southern Exposition during the season of 1884, was the only one that was required to pay the State license of $100; and whereas, his privilege was a losing investment; and whereas, the State officials refused and declined to collect the license from the other privilege owners thereof; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and is hereby, authorized and directed to draw his warrant on the Treasurer in favor of George W. Brown for the sum of one hundred dollars.

§ 2. That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Simon, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	F. D. Rigney,
A. S. Berry,	J. D. Harris,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	R. S. Triplett,
A. R. Byers,	S. E. Hill,	Robert Walker,
W. J. Caudill,	H. T. Kendall,	F. T. D. Wallace,
F. M. Clement,	J. H. McDanell,	E. L. Worthington,
John Feland,	J. W. Ogilvie,	J. H. Wilson—22.
W. H. Frederick,		

Those who voted in the negative, were—

R. T. Albritton,	J. W. Bryan,	J. T. Simon—5.
S. H. Boles,	J. N. Price,	

Resolved, That the title of said bill be as aforesaid.

Mr. Neat, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Charles A. Doris, of Webster county,

Reported the same without amendment.

Mr. Bryan moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on ordering said bill to a third reading, and it was decided in the affirmative.

Said bill was read a third time as follows, viz:

WHEREAS, It appears to the satisfaction of the General Assembly that Charles A. Doris, County Court Clerk of Webster county, had, previous to the — day of March, 1885, collected of public funds for and belonging to the State of Kentucky, the sum of $450, which sum he deposited in a large and strong iron safe, which was claimed to be burglar and fire-proof, in the town of Dixon (the county seat), a place deemed the safest in the county, preparatory to paying the same over to the Trustee of the Jury Fund of Webster county at the May term, 1885, of the Webster Circuit Court, and that on the night of the ninth day of April, 1885, the store in which the safe was placed was entered by unknown burglars, the safe blown open by powder or other explosives, and this amount, with all other moneys therein, stolen and carried away. No clue having been obtained to the thief, and whereas, it appears that said Doris, out of his individual money, paid said sum of $450 to the Trustee of the Jury Fund of Webster county, at said May term of the Webster Circuit Court, 1885, and, whereas, it appeared that said clerk is a man of great caution and prudence, and in this case acted as a man of prudence would have done, and that no blame can attach to him. And further that he is unable, out of his own means, to lose said sum.

This circumstance, combining to make a case peculiarly demanding relief, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Charles A. Doris, Clerk of the Webster County Court be, and he is hereby, allowed the sum of $450, and the same is hereby appropriated to re-imburse him for the above loss, and the Auditor is directed to draw his warrant on the Treasury in his favor for that amount.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. W. Ogilvie,
M. C. Alford,	T. S. Grundy,	F. D. Rigney,
A. S. Berry,	J. D. Harris,	J. T. Simon,
S. H. Boles,	R. G. Hays,	D. H. Smith,
J. W. Bryan,	S. E. Hill,	J. R. W. Smith,
R. A. Burnett,	H. T. Kendall,	R. S. Triplett,
A. R. Byers,	J. H. McDanell,	Robert Walker,
W. J. Caudill,	L. W. McKee,	E. L. Worthington,
F. M. Clement,	W. F. Neat,	J. H. Wilson—27.

Those who voted in the negative, were—

C. M. Clay, Jr.,	John Feland,	L. M. Martin—4.
G. G. Gilbert,		

Resolved, That the title of said bill be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the Committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to regulate tolls on the Bardstown and Green River Turnpike Road;

An act to prohibit the sale of spirituous, vinous and malt liquors and mixtures of same, and all bitters and nostrums which intoxicate, in Graves county, Ky., and to provide for a vote of the legal voters of said county thereon;

An act to amend the charter of the city of Covington;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to repeal an act, entitled "An act to establish a toll-gate on the Wilderness Turnpike Road, in Bell county;"

An act to amend an act, entitled "An act to incorporate the Masonic Temple Association of Newport," approved March 29, 1880;

An act to repeal an act, approved May 10, 1884, and entitled "An act to amend the charter of the Louisville Southern Railroad Company," approved April 28, 1884;

An act to repeal an act, entitled "An act to amend the charter of the city of Covington," approved March 1, 1873;

An act to incorporate the Women's Educational and Industrial Union, of Covington, Kentucky;

An act to amend the charter of the town of Yosemite, in Casey county;

An act to authorize the County Court of Bourbon county to pay Circuit Clerk for continuing index and cross-index to suits;

An act to amend an act, entitled "An act to incorporate and establish a system of public schools in the town of Elkton, Todd county, and within a radius of three miles of the court-house in said town;"

An act for the benefit of the public schools of the Commonwealth in cities having a population of twenty thousand and over;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to incorporate the Frankfort City Railway Company.

By Mr. Worthington, from the same committee—

A bill to incorporate the Ohio and Virginia Railway Company.

By Mr. Feland, from the Committee on Finance—

A bill for the benefit of Dr. E. R. Cook, of Christian county.

By Mr. Price, from the Committee on Claims—

A bill for the benefit of W. G. Caudill, of Letcher county.

By Mr. McDanell, from the same committee—

A bill for the benefit of J. H. Wells, of Breckinridge county.

By Mr. Ogilvie, from the same committee—

A bill for the benefit of D. B. Edmiston, committee to George Delaney, of Lincoln county.

By Mr. Alford, from the Committee on Courts of Justice—

A bill to incorporate the Proctor Coal Company.

By same—

A bill redistricting the city of Newport, Campbell county, into Magisterial Districts.

By Mr. Simon, from the Committee on Executive Affairs—

A bill to authorize and empower the Butler and Greenwood Turnpike Company to erect a gate on said Butler and Greenwood Turnpike Road within one mile of the corporate line of the town of Butler.

By Mr. Harris, from the Committee on Internal Improvements—

A bill to charter the Frankfort Water Company, of Frankfort, Kentucky, and to ratify and confirm the water-works ordinance of the board of the city of Frankfort, and its contract thereunder with the Frankfort Water Company, of the city of Frankfort.

By same—

A bill to amend the charter of the Blue Bank and Bell Grove Spring Turnpike Road.

By same—

A bill to incorporate the Spencer Cemetery Company.

By same—

A bill to incorporate the Cowan Station and Licking Valley Turnpike Road, and allow the county of Fleming to take stock in same.

By same—

A bill to incorporate the town of Nepton, in Fleming county.

By Mr. Ogilvie, from the same committee—

A bill for the benefit of the Bourbon County Agricultural and Mechanical Society.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Hill, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to authorize the County Court of Pike county to issue bonds to raise money to build a court-house, jail, clerks' office and other public buildings," approved February 20, 1884.

By Mr. Harris, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to incorporate the Paducah Gas-light Company," approved February 27, 1856.

By Mr. Price, from the Committee on Claims—

An act for the benefit of E. H. C. Hill, of Bullitt county.

By same—

An act for the benefit of Robert Greenwell, of Bullitt county.

By same—

An act for the benefit of William Dawson, of Bullitt county.

By same—

An act for the benefit of Mrs. Mattie Bennett, of Henry county.

By Mr. Hays, from the Committee on Finance—

An act to authorize the congregation Adas Israel, of the city of Louisville, to issue mortgage bonds.

By Mr. Alford, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to incorporate the town of Bethlehem, in Henry county."

By same—

An act to authorize the County Court of Fayette county, to re-index deed and mortgage records of said county, and provide for the payment of same out of the county levy.

By same—

An act to authorize and empower the Henry County Court to lay an ad valorem levy to pay for bridge, etc.

By Mr. Hill, from the same committee—

An act to authorize the Rockcastle County Court to issue and sell bonds of said county, and to provide payment of same, for the purpose of building a new jail, etc.

By Mr. Harris, from the Committee on Internal Improvements—

An act to enable the County Court of Bracken county to borrow money to pay off the balance of the indebtedness of said county, occasioned by the erection of the new poor-house building, and to purchase necessary furniture for said new building.

By same—

An act to amend an act, entitled "An act to incorporate the Mackville and Perryville Turnpike Road Company."

By same—

An act to amend an act, entitled "An act to incorporate the Lebanon Water-works Company," approved March 6, 1884.

By same—

An act to authorize the County Court of Fayette county to appropriate money to complete the Childsburg and Bryant's Station Turnpike, in Fayette county.

By same—

An act to amend an act, entitled "An act to amend an act to empower the County Court of Grant county to make subscriptions to the capital stock of turnpike roads in said county, and the amendments thereto, and to authorize said County Court to issue bonds to raise funds to pay said subscriptions," approved February 9, 1884.

By same—

An act to amend the charter of the city of Richmond.

By same—

An act to amend the charter of the city of Hawesville.

By same—

An act for the benefit of the Union and Sharpsburg Turnpike Road Company (Clarke route), in Nicholas county.

By same—

An act to amend and reduce into one the road laws of Greenup county.

By Mr. Ogilvie, from the same committee—

An act to amend the Boone county road law, chapter 220, Acts 1883-84.

By same—

An act to repeal an act, entitled "An act to establish a road law for Grayson and Breckinridge counties."

By same—

An act to provide for repairing and keeping in repair the public roads of Pulaski county.

By Mr. Albritton, from the same committee—

An act to amend an act, entitled "An act to incorporate the Hawkins and Cummins Turnpike Road Company, in Bourbon county."

By same—

An act to amend an act, entitled "An act to incorporate the town of Slaughtersville, in Webster county."

By same—

An act to declare Pond Run creek, in Breckinridge county, a navigable stream.

By same—

An act to amend an act, entitled "An act to incorporate the Mount Freedom Turnpike Road Company," approved March 15, 1870.

By Mr. Martin, from the Committee on the Judiciary—

An act to repeal an act, entitled "An act to amend an act for the benefit of Warren county," approved January 22, 1884.

By same—

An act to amend an act, entitled "An act for the benefit of Warren county," approved December 20, 1873.

By Mr. Kendall, from the Committee on Railroads—

An act to incorporate the Stanford Street Railway Company.

By Mr. Alford, from the Committee on Courts of Justice—

An act to amend sections 2 and 3, of article 5, of the charter of the city of Stanford, in Lincoln county, in regard to the jurisdiction of the Judge of the Stanford City Court.

With amendments to the last two named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed an enrolled bill and resolutions which originated in the Senate, of the following titles, viz:

An act to incorporate the International Hereford Association of Kentucky.

Resolution requesting Kentucky members of Federal Congress to use their influence to secure an appropriation from the Government to lock and dam the Licking river, in Kentucky.

Resolution directing the Committee on the Judiciary of the two Houses to report as to the constitutionality of increasing the judicial districts of the State.

Joint resolution to appoint a committee to investigate charges affecting the management of the Eastern Lunatic Asylum.

Mr. Ogilvie, from the Committee on Internal Improvements, to whom was referred leave to bring in a bill, entitled

A bill to better protect turnpike roads in which the State is interested,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. J. R. W. Smith moved to amend said bill by striking out the preamble thereof.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned.

SATURDAY, FEBRUARY 27, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act concerning the county revenue of Jefferson county.

An act to amend an act, entitled "An act to incorporate the Kentucky Wagon Manufacturing Company," approved January 16, 1882.

An act to amend an act, entitled "An act to amend and reduce into one all the acts in regard to the town of Carrsville, in Livingston county."

An act to incorporate the Citizens' Bank, of New Liberty.

An act to incorporate and establish a system of public schools in the town of Elkton, and within a radius of three miles of the court-house in said town.

An act to amend an act, entitled "An act to incorporate the Garrard Female College," approved May 6, 1884.

An act to amend an act, entitled "An act to incorporate the town of Clifton, in Jefferson county," approved April 4, 1884.

Resolution authorizing the Adjutant-General to loan guns to Major Harris Post, Grand Army Republic, at Augusta, Kentucky.

That they had passed bills of the following titles, viz:

1. An act to amend an act to incorporate the Stringtown and Beech Fork Turnpike Company.

2. An act for the benefit of Estill Timberlake, relieving her of the disabilities of nonage.

3. An act to empower the County Court of Bath county to make subscriptions to the capital stock of turnpike road company.

4. An act to authorize the County Levy Court of Bath county to levy an ad valorem tax for county purposes.

5. An act authorizing the Sheriffs and other officers of Carter county to advertise the sales of all real estate to be sold by them in a newspaper published in said county.

6. An act to amend an act to establish Knott county, approved May 5, 1884.

7. An act to amend an act, entitled "An act to apportion the State into eleven Congressional Districts," approved April 15, 1882.

8. An act to authorize the County Court of Fulton county to levy an ad valorem tax.

9. An act to amend section 3, of article 4, of chapter 5, of the General Statutes.

10. An act to amend an act, entitled "An act authorizing the Auditor to appoint agents to attend to revenue matters," approved April 29, 1880.

11. An act to amend an act, entitled "An act amending the charter of the district of Highlands, in Campbell county," approved April 10, 1884," being chapter 699, Session Acts of Kentucky Legislature, 1883-84.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 3d and 8th to the Committee on Internal Improvements; the 2d and 4th to the Committee on the Judiciary; the 5th, 6th, 7th and 9th to the Committee on General Statutes; the 10th to the Committee on Finance, and the 11th to the Committee on Education.

The following petition and remonstrance were presented, viz:

By Mr. Hill—

1. The petition of sundry citizens of Ohio county in regard to amendment to an act to amend an act, entitled "An act to provide for the relief of the Penitentiary," approved May 3, 1880.

By Mr. Walker—

2. The remonstrance of sundry citizens of Allen county against the passage of a law prohibiting the making and sale of spirituous liquors around or near Concord Methodist Church, in said county,

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Penitentiary and House of Reform, and the 2d to the Committee on Religion and Morals.

On motion of Mr. Burnett, leave of absence indefinitely was granted Messrs. Boles, Caudill, Alford and McKee.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Frederick, from the Committee on Internal Improvements—

An act authorizing the Lewis County Court to build a bridge across Kinniconick creek.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the selling, giving or loaning of spirituous, vinous or malt liquors at or within two miles of Knoxville Baptist Church, at Knoxville, Pendleton county.

By Mr. Burnett, from the Committee on General Statutes—

An act to amend section 1, article 1, chapter 55, General Statutes.

By Mr. Berry, from the Committee on Education—

An act to incorporate Allensville Seminary in Todd county, Kentucky.

By Mr. Burnett, from the Committee on General Statutes—

An act for the benefit of Harry Montgomery, of Scott county.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Weston, Crittenden county," approved March 21, 1882.

By same—

An act to amend section 4, of article 3, of chapter 5, of General Statutes.

By same—

An act to incorporate the town of Stinnett, in Anderson county.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to abolish the building known as the "Back Capitol," declaring same a nuisance.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, The building known as the "Back Capitol," located on the north-west corner of the Capitol Square, in the city of Frankfort, is a nuisance to the city of Frankfort, and most especially during the summer season.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the building commonly known as the "Back Capitol" be, and the same is hereby, condemned as a nuisance, and the Librarian is instructed to have same removed, vaults filled up, and the corners of State square finished to correspond with connecting portions.

§ 2. The Librarian is authorized to use the State convicts to do the work mentioned, using the convicts set apart for special work about the Capitol building and grounds.

§ 3. The Librarian is authorized to sell the material to be removed to the highest bidder, and all moneys received from said sale shall be placed in the State Treasury to the credit of contingent fund, subject to the condition that the Librarian may contract with another person for the removal of the building, filling vaults and completing fence, being authorized to trade the building for the work of removing and completing if not at an extra expense of more than $50.

§ 4. The State Librarian is authorized and empowered to contract with the lowest bidder, to build within the walls of the State Capitol building, in the rooms used for paper storage, water-closets of the most approved plan and finish for comfort and economy, also urinals, water-works attachment, necessary drain pipes, and drainage complete, and not less than eight water-closets and four urinals in number, all guaranteed to be free of nuisance from use of same. And the sum of $850 is hereby appropriated, or as much thereof as may be necessary, from moneys not otherwise appropriated, from the State Treasury for the purpose of paying for the work to be done under this act.

§ 5. This act to take effect the first day of April, 1886.

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon,

Ordered, That said bill be placed in the orders of the day.

The yeas and nays being required thereon in pursuance to a provision of the Constitution were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	J. H. McDanell,	R. S. Triplett,
A. R. Byers,	J. W. Ogilvie,	Robert Walker,
John Feland,	J. R. W. Smith,	F. T. D. Wallace—11.
S. E. Hill,	W. H. Taulbee,	

Those who voted in the negative, were—

R. T. Albritton,	R. A. Burnett,	W. F. Neat,
A. S. Berry,	L. M. Martin,	J. N. Price—6.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Limestone Building Association, of Maysville, Kentucky;

An act to establish a Board of Commissioners for Lawrence county, and defining their powers and duties, and defining the duties of certain officers whose duties are connected therewith;

And an enrolled bill which originated in the Senate, of the following title, viz:

An act to amend an act, entitled "An act to arrange the business of the Union Circuit Court, and directing the clerk to docket the cases in accordance therewith;"

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Burnett—

1. A bill for the benefit of C. J. Watkins, late Sheriff of Trigg county.

On motion of Mr. Taulbee—

2. A bill for the benefit of Lark Howard, of Magoffin county.

On motion of Mr. Byers—

3. A bill to prohibit the sale of spirituous, vinous or malt liquors in Grayson county.

On motion of Mr. Martin—

4. A bill to provide for the funding and payment of the debts of Harrison county.

On motion of Mr. Worthington—

5. A bill to incorporate the Esculapia Springs Company, of Lewis county.

On motion of Mr. Bryan—

6. A bill to amend sections 19 and 20, chapter 24, of the General Statutes, title "Conveyances."

On motion of Mr. Albritton—

7. A bill for the benefit of J. M. Turner, late Assessor of Graves county.

On motion of Mr. Rigney—

8. A bill to establish a highway in Casey county, and to discontinue a highway in same county.

On motion of Mr. Walker—

9. A bill changing and defining the corporate limits of the town of Scottville, Ky.

On motion of same—

10. A bill to amend section 13, article 1, chapter 5, General Statutes.

On motion of Mr. Walker—

11. A bill to repeal part of section 1, of an act, entitled "An act relating to lunatic asylums," approved May 12, 1884.

On motion of Mr. Hill—

12. A bill to amend an act, entitled "An act to amend an act entitled 'An act to provide for the relief of the Penitentiary,'" approved May 3, 1884.

On motion of Mr. McKee—

13. A bill to remove what is commonly called the "Back Capitol," and have water-closets established in the Capitol building.

On motion of Mr. Feland—

14. A bill to incorporate Salem Baptist Church, and to prevent the sale of liquors within three miles of said church.

On motion of same—

15. A bill to repeal an act, entitled "An act to amend article 3, chapter 5, General Statutes, title "Attorneys," and to extend and enlarge the duties of County Attorneys thereunder.

Ordered, That the Committee on Claims prepare and bring in the 1st, 2d and 7th; the Committee on Religion and Morals the 3d and 14th; the Committee on the Judiciary the 4th; the Committee on Propositions and Grievances the 5th; the Committee on General Statutes the 6th, 10th and 15th; the Committee on Privileges and Elections the 8th; the Committee on Courts of Justice the 9th; the Committee on Charitable Institutions the 11th; the Committee on Penitentiary and House of Reform the 12th, and the Committee on Public Buildings the 13th.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 27, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, F. L. Waller, Steward of the Western Kentucky Lunatic Asylum.

Very respectfully,

J. PROCTOR KNOTT.

Ordered, That said nomination be referred to the Committee on Charitable Institutions.

Mr. J. R. W. Smith, from the Committee on Charitable Institutions, to whom had been referred the nominations by the Governor of J. Q. A. Stewart to be Medical Superintendent, and Richard L. Tobin to be Steward, of the Institution for the Education and Training of Feeble-minded Children, reported back the same with the expression of opinion that said nominations should be advised and consented to.

[*For nominations, see Senate Journal of February 20th.*]

And the question being taken thereon, it was decided in the affirmative.

So said nominations were advised and consented to.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Burnett, from the Committee on General Statutes—

A bill to extend the Court of Common Pleas in the First Judicial District, to include the county of Livingston, for the trial of law and equity causes, and fixing the terms of the court.

By Mr. Berry, from the Committee on Education—

A bill to amend an act to charter the Marion School Association, in Crittenden county, approved February 16, 1869.

By same—

A bill to amend an act, entitled "An act to incorporate the Harrison Female College," approved January 24, 1880.

By same—

A bill to amend an act to amend an act to incorporate the General Association of Colored Baptists of Kentucky, approved April 8, 1884.

By Mr. Burnett, from the Committee on General Statutes—

A bill regulating the business of pawn brokers in certain cities of the State of Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Taulbee,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill, entitled

An act to establish the Nineteenth Circuit Court Judicial District, to be composed of the counties of Clay, Leslie, Perry, Breathitt, Knott and Letcher.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Taulbee moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

On motion of Mr. Taulbee,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the disagreement by the Senate to a bill which originated in the House of Representatives, entitled

An act for the benefit of Turner Hughes, of Lee county.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

On motion of Mr. Taulbee,

Ordered, That his name be recorded as voting in the affirmative on the passage by the Senate, the objection of the Governor to the contrary, notwithstanding, of a bill, entitled

An act in relation to infectious and contagious diseases of cattle.

On motion of Mr. Dixon,

Ordered, That his name be recorded as voting in the affirmative on the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act for the benefit of Charles A. Doris, of Webster county.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills which originated in the Senate of the following titles, viz:

An act to repeal an act, approved May 10, 1884, and entitled "An act to amend the charter of the Louisville Southern Railroad Company," approved April 28, 1884.

An act to amend an act, entitled "An act to incorporate and establish a system of public schools in the town of Elkton, Todd county, and within a radius of three miles of the courthouse in said town."

An act for the benefit of the public schools of the Commonwealth in cities having a population of 20,000 and over.

An act to amend the charter of the town of Yosemite, in Casey county.

An act to amend an act, entitled "An act to incorporate the Masonic Temple Association, of Newport," approved March 29, 1880.

An act to repeal an act, entitled "An act to establish a tollgate on the Wilderness Turnpike Road, in Bell county."

An act to authorize the County Court of Bourbon county to pay Circuit Clerk for continuing index and cross-index to suits.

An act to incorporate the Women's Educational and Industrial Union, of Covington, Kentucky.

An act to repeal an act, entitled "An act to amend the charter of the city of Covington," approved March 1, 1873.

Mr. Berry, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

A bill to empower the County Superintendent to redistrict the schools in Mason county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Taulbee moved to amend said bill by adding thereto the county of Breathitt.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bills be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the County Superintendent of common schools for the county of Mason shall have power to lay off and abolish school districts, and if necessary, lay off the districts anew throughout said county: *Provided, however*, That he shall not have power to alter any district after he has fixed its boundary, and after he has changed and fixed the boundaries of all the districts of the county, then he shall no longer have power under this act, and all changes in the boundaries of the school districts of said county of Mason shall be made only as required by the general law of the State.

§ 2. No change in the boundary of any district provided for in the foregoing section of this act shall be made until the trustees of such school district shall have at least one week's notice in writing of same, and an opportunity given them to resist the change. Notice by the County Superintendent to the chairman of the Board of Trustees of any school district shall, under this act, be deemed sufficient notice to the trustees of such district.

§ 3. The County Superintendent shall record in a well-bound book, kept by him for that purpose, the boundary and description of each district formed or changed by him as herein provided, which book shall be held by him and at all times be open to the inspection of the public. The County Superintendent shall also furnish to the chairman of each Board of Trustees in Mason county an exact transcript of the description and boun-

dary of their respective districts, taken from the record of teh County Superintendent's office, and this description and boundary shall be kept by the district trustees and recorded as part of their records, and at all times be opened to public inspection.

§ 4. This act shall take effect and be in force from and after its passage. The provisions of this act shall apply to the county of Breathitt.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as follows, viz:

An act to empower the county superintendents to redistrict the schools of Mason and Breathitt counties.

The Senate took up for consideration the motion heretofore entered by Mr. Hays to reconsider the vote by which the Senate had rejected a bill, entitled

A bill to appropriate money to be applied to the procurement by purchase or otherwise of a permanent home for the friendless and fallen women of Kentucky.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Hays,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday, March 4th, at 11 o'clock A. M.

Mr. Berry, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

A bill to establish eight hours as a day's work,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. J. R. W. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

On motion of Mr. Gilbert,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, March 3d, at 11 o'clock A. M.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to repeal an act, entitled "An act to declare and amend the law in relation to principals, factors or agents,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gilbert moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Burnett, from the Committee on General Statutes, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act to amend chapter 104, General Statutes, title "Sureties and Co-obligors;"

An act in relation to school district No. 26, Cedar Run precinct, Franklin county;

Reported the same with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend article 7, of chapter 41, of the General Statutes, title "Fees,"

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of article 7, of chapter 41, of the General Statutes, title "Fees," on page 471, as reads thus: "For attending, by themselves or deputies, and keeping order in the Circuit, County or Quarterly Courts and Court of Claims, a reasonable compensation to be allowed by the Circuit Court and paid out of the State Treasury not to exceed $50 per annum," be repealed, and the following substituted in place thereof: "That Sheriffs, for attending and keeping order, by themselves or deputies, in the County and Quarterly Courts and Court of Claims, shall be allowed a reasonable compensation, not to exceed $2 per day for each day they or their deputies shall so attend."

§ 2. The allowance provided in the preceding section for attending upon the Circuit Court shall be made by such court and be paid out of the State Treasury, and the allowance for attending the County and Quarterly Courts and Court of Claims shall be allowed by last-named court and paid out of the county levy: *Provided*, That this act shall not affect the right of any Sheriff to compensation for any services heretofore rendered.

§ 3. That this act shall take effect from its passage.

Mr. Bryan proposed to amend said bill as follows, viz:

By adding Criminal, Chancery and Common Pleas Courts in section 2 after Circuit Courts.

Mr. Martin proposed to amend said bill as follows, viz:

Strike out the words Quarterly, County and Court of Claims, in lines 16 and 17, page 1.

The question was then taken on the amendment proposed by Mr. Bryan to said bill, and it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Martin to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	J. H. McDanell,
A. S. Berry,	G. G. Gilbert,	W. F. Neat,
F. M. Clement,	L. M. Martin,	J. N. Price—9.

Those who voted in the negative, were—

J. W. Bryan,	H. T. Kendall,	W. H. Taulbee,
R. A. Burnett,	J. W. Ogilvie,	R. S. Triplett,
A. R. Byers,	F. D. Rigney,	Robert Walker,
R. G. Hays,	D. H. Smith,	F. T. D. Wallace—14.
S. E. Hill,	J. R. W. Smith,	

On motion of Mr. Feland,

Ordered, That the further consideration of said bill be postponed, and said bill be made the special order of the day for Thursday, March 4th, at 11:30 o'clock A. M.

On motion of Mr. Hill,

Ordered, That the consideration of bills in the orders of the day be postponed for the day.

Mr. Bryan moved to suspend the rules, and take up for consideration a bill, entitled

A bill to incorporate the Kentucky Household Gas Supply Company.

And the question being taken thereon, it was decided in the affirmative.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Horace T. Stanford, Fontaine T. Fox, Jr., and W. L. Breyfogle, and their successors or assigns, are hereby incorporated under and by the name of the Kentucky Household Gas Supply Company, and are hereby authorized and empowered to supply to the households in the various towns and cities in said Commonwealth, natural or artificial gas for cooking, heating, or other household purposes, and domestic uses and for manufacturing; to sue and be sued, to contract and be contracted with, to buy, lease and hold such property, real and personal, as may be necessary to enable them to supply said gas for the purposes and uses aforementioned, and to dispose of the same at pleasure. To have and use a seal, and the same to alter at will, and to have, use and possess, and the same are hereby granted all the rights, powers and privileges necessary or proper to carry into effect and exercise all the powers, franchises and privileges hereby granted.

§ 2. The capital stock of said company shall consist of fifty thousand dollars ($50,000), to be divided into shares of one hundred dollars ($100) each, and the same may be increased at any time by a majority of the present incorporators, if in their judgment the business shall demand it, or in the future by the Board of Directors, a majority thereof voting therefor, and approved

by the stockholders holding the majority of said stock, and at a meeting called for that special purpose, and each share of stock being entitled to one vote. Said stock may be paid out as non-assessable paid-up stock for services rendered to, or for property bought by, or for work done to or for, said company.

§ 3. The first meeting of the organization under the charter and for the transaction of such business as may be done thereby, may be, at such time or times as the majority of the incorporators may direct. The directors shall have the right to make the necessary by-laws for the government of said corporation in all its departments, and for the management of its property and concerns, and to fix the duties and responsibilities of its officers and employes, and to settle how and in what manner its stock may be transferred or assigned by one holder to another, so as to ascertain in whose right said stock is held and owned, and to direct when and how the capital stock shall be paid in by the subscribers therefor, and to fix how and when said stock so subscribed and not paid in shall be forfeited in whole or in part, or to sue for the balance due thereon, or to provide for the sale thereof to pay the balance due thereon, and to do any and all things or acts needful and requisite for the management of said corporation's interests, property or concerns, and to transact its business. The incorporators shall elect a president and secretary, and shall act as a board of directors until ten thousand dollars ($10,000) of stock have been subscribed and paid in, when and after which time, they shall proceed to elect a board of directors, which shall consist of five stockholders, who shall act until their successors are elected according to this charter, to wit: On the first of January of each year following, and remain in force until their successors are elected.

§ 4. The neglect or fault of said corporation to do any thing or act requiring to be done by said company by this act, or by the General Statutes of this Commonwealth, shall not work a forfeiture of this charter or of the privileges and rights granted hereby.

§ 5. In the event this corporation can not purchase at a reasonable figure natural or artificial gas for use by its subscribers or customers for the purposes mentioned in the first section hereof from other companies or corporations making or vending the same, then said company shall have the right, and the same is hereby granted, to dig, bore and mine for natural gas within said Commonwealth with the consent of the owners of the land on which said digging, boring or mining may be done, or to make artificial gas, and, when so made or obtained, to deliver the same to its subscribers or customers, and to carry out said rights shall, with the consent of the authorities of the towns or the general council of the cities thereof, have the right and authority to open the ground in any highway, street, lane, alley, park or public place within the limits thereof, and to lay and repair their pipes and mains for conducting and delivering

their gas to their subscribers or customers. Said company being required to restore the same to as good a condition as before, within a reasonable time thereafter, and not to injure any gas or water pipe or main or sewer laid therein in said towns or cities, and being liable for any damage done by its negligence in so laying, restoring or repairing as aforesaid, and such authority or power is subject to such reasonable regulations as said authorities or council may make for the protection of life, property and health of their citizens.

§ 6. This act shall take effect from and after its passage, and be and continue in force for the term of fifty years.

Mr. J. R. W. Smith moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday, March 4th, at 11:15 o'clock A. M.

And the question being taken thereon it was decided in the negative.

Mr. Burnett proposed to amend said bill by striking out the fourth section thereof.

And the question being taken thereon, it was decided in the affirmative.

Mr. J. R. W. Smith moved to recommit said bill to the Committee on Courts of Justice.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Hill, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	W. F. Neat,
A. S. Berry,	G. G. Gilbert,	J. W. Ogilvie,
J. W. Bryan,	R. G. Hays,	J. N. Price,
R. A. Burnett,	S. E. Hill,	F. D. Rigney,
A. R. Byers,	H. T. Kendall,	J. R. W. Smith,
F. M. Clement,	L. M. Martin,	W. H. Taulbee,
Henry Dixon,	J. H. McDanell,	Robert Walker—22.
John Feland,		

In the negative—R. S. Triplett—1.

Resolved, That the title of said bill be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Walker moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Feland, were as follows, viz:

Those who voted in the affirmative, were—

J. R. W. Smith, W. H. Taulbee, Robert Walker—3.

Those who voted in the negative, were—

R. T. Albritton,	John Feland,	J. H. McDanell,
A. S. Berry,	W. H. Frederick,	W. F. Neat,
J. W. Bryan,	G. G. Gilbert,	J. W. Ogilvie,
R. A. Burnett,	S. E. Hill,	J. N. Price,
A. R. Byers,	H. T. Kendall,	F. D. Rigney,
F. M. Clement,	L. M. Martin,	R. S. Triplett—18.

Mr. Frederick moved to take up for consideration the motion heretofore entered by Mr. J. R. W. Smith to reconsider the vote by which the Senate had passed a bill, entitled

An act to incorporate the Kentucky Household Gas Supply Company.

Mr. Feland moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	J. R. W. Smith,	R. S. Triplett,
A. R. Byers,	W. H. Taulbee,	Robert Walker—7.
John Feland,		

Those who voted in the negative, were—

A. S. Berry,	G. G. Gilbert,	J. H. McDanell,
J. W. Bryan,	T. S. Grundy,	W. F. Neat,
R. A. Burnett,	R. G. Hays,	J. W. Ogilvie,
F. M. Clement,	S. E. Hill,	J. N. Price,
Henry Dixon,	H. T. Kendall,	F. D. Rigney,
W. H. Frederick,	L. M. Martin,	F. T. D. Wallace—18.

Mr Wallace moved to postpone the further consideration of the motion made by Mr. Frederick until 1:30 o'clock P. M.

And the question being taken thereon, and a quorum of the Senate not voting thereon,

Ordered, That said bill be placed in the orders of the day.

Mr. Gilbert moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	H. T. Kendall,	J. R. W. Smith,
John Feland,	J. H. McDanell,	W. H. Taulbee,
G. G. Gilbert,	W. F. Neat,	Robert Walker—9.

Those who voted in the negative, were—

A. S. Berry,	W. H. Frederick,	J. N. Price,
J. W. Bryan,	T. S. Grundy,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	D. H. Smith,
A. R. Byers,	L. M. Martin,	R. S. Triplett,
Henry Dixon,	J. W. Ogilvie,	F. T. D. Wallace—15.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to incorporate the Ohio Valley Telephone Company,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Feland moved that the Senate do now adjourn.

And the question being taken thereon it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	T. S. Grundy,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	D. H. Smith,
Henry Dixon,	H. T. Kendall,	J. R. W. Smith,
John Feland,	J. H. McDanell,	W. H. Taulbee,
G. G. Gilbert,	W. F. Neat,	Robert Walker—15.

Those who voted in the negative, were—

A. S. Berry,	W. H. Frederick,	R. S. Triplett,
J. W. Bryan,	J. W. Ogilvie,	F. T. D. Wallace—8.
A. R. Byers,	J. N. Price,	

And then the Senate adjourned.

MONDAY, MARCH 1, 1886.

The reading of the Journal of Saturday was dispensed with.

On motion of Mr. J. R. W. Smith, the Senate took up for consideration a bill, entitled

An act to incorporate the Kentucky Household Gas Supply Company.

Mr. J. R. W. Smith withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed said bill.

The Senate took up for consideration a bill, entitled

A bill to incorporate the Ohio Valley Telephone Company.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By same—

A bill giving further time of two years to the Sheriffs and ex-Sheriffs in which to collect their uncollected taxes and fee bills.

By Mr. D. H. Smith, from the same committee—

A bill to change the line dividing Hart from Larue county.

By Mr. Martin, from the Committee on the Judiciary—

A bill to provide for the funding and payment of the debts of Harrison county.

By Mr. Bryan, from the same committee—

A bill for the government of political primary elections, mass meetings and conventions held under the provisions thereof, in Kenton county.

By Mr. Worthington, from the same committee—

A bill to amend the charter of the city of Maysville.

By same—

A bill to amend the charter of DeKalb Lodge No. 12, Independent Order of Odd Fellows, of Maysville.

By same—

A bill to amend an act incorporating the James H. Hall Eagle Plow Company, approved January 24, 1878.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill in relation to street railways.

By Mr. Bryan from the Committee on Banks and Insurance—

A bill to incorporate the Deposit Bank of Sulphur.

By Mr. Wallace, from the Committee on Education—

A bill changing the boundary of common school district No. 29, in Lyon county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend article 11, of chapter 29, of the General Statutes, title "Crimes and Punishments,"

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Burnett,

Ordered, That said bill be printed, and made the special order of the day for Thursday, March 11th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Burnett, from the same committee, to whom was referred leave to bring in a bill, entitled

A bill to amend chapter 66, of the General Statutes, entitled "Landlord and Tenant,"

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be placed in the orders of the day.

Mr. Burnett, from the same committee, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Journeymen House Painters' Association of Louisville,

Reported the same as within the inhibition of Joint Rule No. 1.

On motion of Mr. J. R. W. Smith,

Ordered, That said rule be suspended and that said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had

approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to create the Newport Fire and Police District, in Campbell county, and to provide for the government thereof.

An act to incorporate the Limestone Building Association, of Maysville, Kentucky.

Mr. Martin, from the joint special committee appointed to consider the propriety and expediency of redistricting the State into Judicial Districts, laid before the Senate the following report, viz:

The Committees on the Judiciary of the Senate and House of Representatives, to whom was referred a joint resolution, directing said committees to report whether in their opinion the General Assembly can, under the provisions of the Constitution, increase the number of Judicial Districts in this State, beg leave to report that the General Assembly has the power to create only one additional Judicial District at this time.

L. M. MARTIN,
Chairman Judiciary Committee of the Senate.

I. A. SPALDING,
Chairman Judiciary Committee of the House.

Which was read and adopted.

Mr. Clement, from the Committee on Privileges and Elections, to whom was referred leave to bring in a bill, entitled

A bill to establish a highway in Casey county,

Reported the same without an expression of opinion.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bryan, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock, and all other except life insurance companies," approved March 12, 1870,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be placed in the orders of the day.

On motion of Mr. Albritton, leave of absence, indefinitely, was granted Mr. Walker.

Mr. Price, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of W. A. Stewart, of Harrison county,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Wallace—

1. A bill, entitled "An act to provide for the reorganization, maintenance and supervision of a common school in the town of Louisa."

On motion of Mr. Albritton—

2. A bill for the benefit of D. H. Fristoe, late Assessor of Graves county.

On motion of Mr. Burnett—

3. A bill to change the boundary of common school district No. 29, in Lyon county.

On motion of Mr. McKee—

4. A bill regulating the sale of patent rights and alleged patent rights in this Commonwealth.

On motion of Mr. Alford—

5. A bill amendatory of the charter of the Tellico-Jellico Mountain Coal Company.

Ordered, That the Committee on Education prepare and bring in the 1st and 3d; the Committee on Claims the 2d; the Committee on General Statutes the 4th, and the Committee on Courts of Justice the 5th.

On motion of Mr. Albritton, the Senate then adjourned.

TUESDAY, MARCH 2, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to establish the Lexington Police and Fire District, in Fayette county, and to provide for the government thereof.

An act to amend an act, entitled "An act to arrange the business of the Union Circuit Court, and directing the clerk to docket the cases in accordance therewith."

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882.

An act to regulate tolls on the Bardstown and Green River Turnpike Road.

An act to prohibit the sale of spirituous, vinous and malt liquors and mixtures of same, and all bitters and nostrums which intoxicate, in Graves county, Ky., and to provide for a vote of the legal voters of said county thereon.

An act to amend the charter of the city of Covington.

An act to amend an act, entitled "An act to amend the charter of the city of Louisville," approved May 10, 1884.

That they had concurred in an amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to incorporate the Commercial Bank, of Catlettsburg.

That they had passed bills of the following titles, viz:

1. An act for the benefit of the Stony Point and Seamand's Mill Turnpike Road Company.

2. An act giving further time, until the first Monday in May, 1886, for the Sheriff of Letcher county to execute his revenue bond and the bond for the county levy of said county.

3. An act to authorize and empower the County Court of Johnson county to issue the bonds of said county to pay for the right of way of any railway company through said county.

4. An act to amend an act, entitled "An act regulating the pay of Commonwealth witnesses in felony cases," approved April 24, 1880, and regulating the manner of claiming attendance.

5. An act to prohibit the sale of spirituous, vinous and malt liquors in Larue county.

6. An act to incorporate the East End Banking Company, of Louisville.

7. An act to incorporate and establish the Deposit Bank of Monticello, in Wayne county.

8. An act to amend an act, entitled "An act to repeal the charter of the town of Uniontown, and all amendments thereto, and to re-incorporate the same by repealing the twenty-first section of said act.

9. An act for the benefit of Knott county.

10. An act to repeal an act to authorize the Commissioners for the county of Kenton to subscribe for stock in turnpike roads in said county, and provide means for the payment thereof, approved April 11, 1882.

11. An act to incorporate the town of De Koven, in Union county.

12. An act to amend an act, entitled "An act regulating tax on circuses, menageries, theatres, etc., in Kentucky," approved March 14, 1876.

13. An act to amend an act to incorporate the Bowling Green and Hadley Turnpike Company, approved February 21, 1878.

14. An act to incorporate the town of Van Buren, in Anderson county.

15. An act to incorporate the Lexington Industrial School, of Lexington, Ky.

16. An act to regulate the powers and duties of County Road Surveyors, in Marion county.

17. An act to amend the charter of the Maysville Training and Breeding Association.

18. An act to provide for a registration of voters in the city of Lexington.

19. An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous and malt liquors in this Commonwealth."

20. An act to provide for removing obstructions in the watercourses of Calloway county.

21. An act to fix the time of holding the Madison County Court of Levy and Claims.

22. An act to amend an act, entitled "An act to incorporate the Kentucky Paving and Contract Company."

23. An act to recharter the town of Mount Vernon, Rockcastle county.

24. An act to amend an act, entitled "An act to incorporate the Grandale Trotting Association," approved May 10, 1884.

25. An act to incorporate the town of South Louisville, in Jefferson county.

26. An act for the benefit of Daniel Lee, of Marshall county.

27. An act for the benefit of Estill Springs, in Estill county.

28. An act to incorporate the Irvin and Vienna Turnpike Road Company.

29. An act to amend an act, entitled "An act to charter the Cairo and Tennessee River Railroad," approved March 10, 1873.

30. An act for the benefit of the Carlisle and Park's Ferry Turnpike Road Company.

31. An act for the benefit of Henry M. Booth, of Anderson county.

32. An act to amend the charter of the Chesapeake and Nashville Railway Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 3d, 12th and 14th to the Committee on General Statutes; the 4th, 9th, 10th, 18th, 26th, 30th and 31st to the Committee on the Judiciary; the 5th and 19th to the Committee on Religion and Morals; the 6th and 7th to the Committee on Banks and Insurance; the 13th, 15th, 17th, 24th and 25th to the Committee on Agriculture and Manufactures; the 11th and 21st to the Committee on Courts of Justice; the 22d, 23d, 27th and 28th to the Committee on Internal Improvements; the 29th and 32d to the Committee on Railroads, and the 1st, 2d and 20th were ordered to be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

That they had passed bills which originated in the Senate of the following titles, viz:

An act for the benefit of J. E. Edwards, Assessor of Trigg county.

An act for the benefit of Emily F. Dean, of Magoffin county.

An act to prevent hogs from running at large in West Point and vicinity, in Hardin and Meade counties.

An act to amend the charter of the Franklin Insurance Company, of Louisville.

An act to incorporate the People's Bank, of Fulton.

An act to provide for holding two additional terms of the Christian Circuit Court.

An act to amend and reduce into one the several acts concerning the town of Earlington.

An act for the benefit of P. A. Cline.

An act to extend the Court of Common Pleas in the First Judicial District, to include the county of Livingston, for the

trial of common law and equity causes and fixing the terms of the court.

An act to consolidate and reduce into one the several acts in relation to the town of Taylorsville.

An act to incorporate the Hickman Bank.

With an amendment to the last-named bill.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of George W. Brown, of Louisville;

An act to amend an act, entitled "An act to authorize the County Court of Pike county to issue bonds to raise money to build a court-house, jail, clerks' office and other public buildings," approved February 20, 1884;

An act to repeal an act, entitled "An act to establish a road law for Grayson and Breckinridge counties;"

An act to charge the boundary of the town of Ghent, in Carroll county;

An act to amend an act, entitled "An act to incorporate the Mount Freedom and Jessamine County Turnpike Road Company," approved March 15, 1870;

An act to repeal an act, entitled "An act to amend an act for the benefit of Warren county," approved January 22, 1884;

An act to declare Pond Run creek, in Breckinridge county, a navigable stream;

An act for the benefit of E. H. C. Hill, of Bullitt county;

An act for the benefit of Robert Greenwell, of Bullitt county;

An act for the benefit of William Dawson, of Bullitt county;

An act to amend the charter of the city of Hawesville;

An act for the benefit of D. D. Owens, of Pulaski county;

An act to amend an act, entitled "An act for the benefit of Warren county," approved December 20, 1873;

An act to authorize the County Court of Fayette county to appropriate money to complete the Childsburg and Bryant's Station Turnpike, in Fayette county;

An act for the benefit of J. M. Nesbitt, of Bath county;

An act to amend an act, entitled "An act to incorporate the town of Bethlehem, in Henry county;"

An act for the benefit of Mrs. Mattie Bennett, of Henry county;

An act to empower the Woodford County Court to make an appropriation for the improvement of the Versailles and Harrodsburg Turnpike Road, in Woodford county;

An act to empower the Jailer of Kenton county to appoint a Deputy Jailer;

An act for the benefit of the Union and Sharpsburg Turnpike Road Company (Clarke route), in Nicholas county;

An act to amend the charter of the city of Newport in relation to common schools in said city;

An act to incorporate the People's Bank, of Adairville;

An act for the benefit of school district No. 12, in Kenton county;

An act to amend an act, entitled "An act to amend an act to empower the County Court of Grant county to make subscriptions to the capital stock of turnpike roads in said county, and the amendments thereto, and to authorize said County Court to issue bonds to raise funds to pay said subscriptions," approved February 9, 1884;

An act to amend the charter of the Simpson County Agricultural and Mechanical Association;

An act for the benefit of Charles A. Doris, of Webster county;

An act to authorize and empower the Henry County Court to lay an ad valorem levy to pay for bridge, etc;

An act to amend an act, entitled "An act to incorporate the Paducah Gas-light Company," approved February 27, 1856;

An act to prohibit the selling, giving or loaning of spirituous, vinous or malt liquors at or within two miles of Knoxville Baptist Church, at Knoxville, Pendleton county;

An act to amend section 1, article 1, chapter 55, General Statutes;

An act to amend section 4, of article 3, of chapter 5, of General Statutes;

An act for the benefit of Harry Montgomery, of Scott county;

An act to authorize the Rockcastle County Court to issue and sell bonds of said county, and to provide payment of same, for the purpose of building a new jail, etc.;

An act to amend the charter of the city of Richmond ;

An act to authorize the County Court of Fayette county, to re-index deed and mortgage records of said county, and provide for the payment of same out of the county levy ;

An act to amend and reduce into one the road laws of Greenup county ;

An act to incorporate Allensville Seminary, in Todd county, Kentucky ;

An act to amend an act, entitled "An act to incorporate the Hawkins and Cummins Turnpike Road Company, in Bourbon county ;"

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Weston, Crittenden county," approved March 21, 1882 ;

An act to amend an act, entitled "An act to incorporate the town of Slaughtersville, in Webster county ;"

An act to authorize the congregation Adas Israel, of the city of Louisville, to issue mortgage bonds ;

And enrolled bills which originated in the Senate of the following titles, viz :

An act to amend and reduce into one the several acts respecting the town of Fulton, Fulton county ;

An act to repeal an act, entitled "An act to prevent obstructions of turnpike roads in Anderson county ;"

An act to prevent hogs from running at large in West Point and vicinity, in Hardin and Meade counties ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz :

By Mr. Burnett, from the Committee on General Statutes—

An act to amend an act, entitled "An act to apportion the

State into eleven Congressional Districts," approved April 15, 1882.

By same—

An act to amend an act to establish Knott county, approved May 5, 1884.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to incorporate the Hartford Railway Company.

By Mr. Wallace, from the Committee on Education—

A bill for the benefit of common school district No. 37, Boyd county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. J. R. W. Smith—

1. A bill to incorporate the Louisville Savings Investment Association.

On motion of Mr. Sparks—

2. A bill to incorporate the Wilmore and Kentucky River Turnpike Road Company in Jessamine county.

On motion of Mr. Alford—

3. A bill to provide for the removal of the seat of Government.

Ordered, That the Committee on Finance prepare and bring in the 1st; the Committee on Internal Improvements the 2d, and the Committee on Appropriations the 3d.

On motion of Mr. Alford, leave of absence, indefinitely, was granted Mr. McKee.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 1, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

Calvin P. Wilcox, Kenton county.
A. Kloentrup, Kenton county.
Albert S. Brandeis, Jefferson county.
M. H. Houston, Boyd county.
George S. Shanklin, Fayette county.
J. W. Sallee, Wayne county.
A. Y. Culton, Knox county.
T. J. Ewing, Boyd county.
H. C. Mason, Campbell county.
Giles S. McNeal, Boyd county.
J. C. Tye, Whitley county.
B. F. Rose, Whitley county.
G. D. Chambers, Hancock county.
B. H. Stovall, Ballard county.
W. H. Sudduth, Fleming county.
William Stevenson, Mercer county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Alford, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill amendatory of the charter of the Tellico-Jellico Mountain Coal Company, secured under chapter 56, of the General Statutes of Kentucky, on the —— day of ——, 1885,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wilson objected to the further reading of said bill on this day, so the same fell into the orders of the day.

The Senate, according to order, took up for consideration a bill, entitled

A bill to regulate continuances in criminal and penal cases.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever, in any criminal or penal action pending in any of the courts of this Commonwealth, an application shall be made by the defendant for a continuance, based upon affidavits stating the absence of one or more material witnesses, and the facts which such absent witness or witnesses, would, if present, prove, the attorney for the Commonwealth shall not be compelled, in order to prevent a continuance, to admit the truth of the matter which it is alleged in the affidavit such absent witness or witnesses would prove; but only that such absent witness or witnesses would, if present, testify as alleged in the affidavit. In which event the defendant may, on the trial, read such affidavit as the deposition of such absent witness or witnesses, subject, however, to exception for irrelevancy or incompetency; and the attorney for the Commonwealth shall be permitted to controvert the statements of such affidavit, so read, by other evidence, and to impeach such absent witness or witnesses, to the same extent as if he were personally present: *Provided, however*, The court may, when from the nature of the case, it shall be of opinion that the ends of justice require it, grant a continuance, unless the attorney for the Commonwealth will admit the truth of the matter which it is alleged in the affidavit such absent witness or witnesses would testify to.

§ 2. The provisions of the foregoing section shall not apply to a motion for a continuance made at the same term at which the indictment in the action is found.

§ 3. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

§ 4. This act shall take effect from and after its passage.

Mr. Burnett proposed the following amendment to said bill, viz:

Amend by striking out, commencing at the word "subject" in the thirteenth line and extending to the word "present" in eighteenth line.

And the question being taken thereon it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	W. H. Taulbee,
J. W. Bryan,	J. D. Harris,	R. S. Triplett,
A. R. Byers,	S. E. Hill,	F. T. D. Wallace,
C. M. Clay, Jr.,	L. M. Martin,	J. H. Wilson,
W. M. Cravens,	J. H. McDanell,	E. L. Worthington,
G. G. Gilbert,	F. D. Rigney,	J. R. W. Smith—18.

Those who voted in the negative, were—

R. A. Burnett, W. F. Neat—2.

Resolved, That the title of said bill be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 2, 1886.

Gentlemen of the Senate:

I deem it my duty to call your attention to several mistakes in the resolution to pay J. Edward Gailbreath $100 as Special Bailiff of Jefferson Circuit Court, which might materially affect the validity of that measure if approved in its present form. There was no such case as that of the Commonwealth against Thomas F. Hargis, tried or pending in the Jefferson Circuit Court in 1880, nor was there any bill passed by the last Legislature to pay J. Edward Gailbreath $100 or any other sum for services rendered by him as Special Bailiff in that or any other case.

There was a bill passed by the last General Assembly, near the close of its session, to pay J. Edward Gailbreath $100 on account of services as Deputy Sheriff for S. S. Hamilton, in attending upon the Louisville Court of Common Pleas, during the trial of the case of Green against Hargis, in 1881, but that bill has never been either lost or mislaid in the office of the Governor or elsewhere. It was received in the office of the Secretary of State May 8, 1884, and has remained on file in that office ever since.

These errors, in the recital of the fact upon which the resolution is predicated, were, of course, entirely inadvertent, but are, in my judgment, material, inasmuch as it would appear from the preamble that the proposed allowance was for services which had never been rendered, and might on that account be held to be void.

I have, therefore, the honor to return the resolution without my signature.

Very respectfully,

J. PROCTOR KNOTT.

[*For resolution, see Senate Journal, January 22d.*]

On motion of Mr. Hill,

Ordered, That said resolution and veto message be referred to the Committee on Claims, with directions to report on Thursday next, March 4th.

The Speaker laid before the Senate the response of the chairman of the board appointed to distribute the appropriation made by the last General Assembly for exhibit of Kentucky products at Louisville and New Orleans Expositions to a resolution heretofore adopted, asking information in regard to the expenditure of said appropriation.

Ordered, That said response be referred to the Committee on Public Expenditures.

And then the Senate adjourned.

WEDNESDAY, MARCH 3, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had passed a bill which originated in the Senate, entitled

An act to incorporate the Economic Heating Company.

With an amendment thereto.

That they had concurred in amendments proposed by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act, entitled "An act to revise and amend and reduce into one the charter and various amendments relating to the town of South Carrollton, in Muhlenberg county.

An act to incorporate the Homestead Building Association.

An act to incorporate the Paducah Savings and Deposit Bank.

That they had passed a bill, entitled

An act to regulate the sale of spirituous, vinous and malt liquors within one mile of Park post-office, in Barren county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to prevent hogs from running at large in West Point and vicinity, in Hardin and Meade counties.

An act to repeal an act, entitled "An act to prevent obstruction of turnpike roads in Anderson county."

An act to amend and reduce into one the several acts respecting the town of Fulton, Fulton county, Kentucky.

On motion of Mr. Albritton, leave of absence, indefinitely, was granted to Mr. Burnett.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to authorize the Butler County Court of Claims to levy an ad valorem tax for county purposes;

An act to incorporate the Homestead Building Association;

An act for the benefit of Taylor county;

An act for the benefit of John W. Caseldine, Sheriff of Henry county;

An act to amend the charter of the town of Harrodsburg, in Mercer county;

An act to amend the charter of the town of Water Valley, Graves county;

An act to amend section 1, article 1, chapter 55, of the General Statutes;

An act to permit Garrard county to issue certain bonds;

An act to amend an act incorporating the Louisville Courier-Journal Company;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the People's Bank, of Fulton;

An act to provide for holding two additional terms of the Christian Circuit Court;

An act for the benefit of P. A. Cline;

An act to extend the Court of Common Pleas in the First Judicial District to include the county of Livingston, for the trial of common law and equity causes, and fixing the terms of the court;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Neat reported that the committee had performed that duty.

Mr. Kendall moved that the rules be suspended, and that the Senate take up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Economic Heating Company.

And the question being taken thereon, it was decided in the affirmative.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That George W. Swearengin, John B. Castleman, N. Bloom, John G. Sinrall, John A. Tanner, David W. Fairleigh, Temple Bodley, Arthur M. Rutledge and Clarence U. McElroy, their successors and assigns, be, and they are hereby, created a body corporate, under the name of the Economic Heating Company; and by that name shall have perpetual succession, and the power to contract and be contracted with, to sue and be sued, implead and be impleaded; to take, hold, own, and in anywise alien property, real, personal and mixed; to have a common seal, and alter the same at pleasure; and to establish by-laws, and make rules and regulations for the management of the affairs of said company, not inconsistent with the Constitution or laws of this State or of the United States.

§ 2. The affairs of said corporation shall be conducted by a board of directors of not less than five nor more than nine directors who shall be elected for a term of one year, and until their successors are chosen, at a meeting of the stockholders of said corporation, held in the city of Louisville on the second Monday in January of each year. Said directors shall elect a president and vice-president, who shall be, and a secretary and a treasurer who may be, members of said board. The meetings of said board shall be called by the president, or in case of his absence also or inability to act, by the vice-president, or in case of his absence or inability to act, by a written call of not less than one-half the directors. The powers, duties and compensation of the president and other officers of the company shall be prescribed by the board of directors. The directors and officers of the company, to serve until the second Monday in January, 1887, shall be elected by the incorporators hereinbefore named. In all meetings of the stockholders they shall vote in proportion to their stock, in person or by proxy duly authorized in writing signed by them. Of all meetings of stockholders (whether called by the board of directors, as they may be, or the annual meetings aforesaid), five days' previous notice shall be given to the stockholders, by insertions in a daily newspaper published in the city of Louisville.

§ 3. The capital stock of said company shall be $1,500,000, divided into shares of one hundred dollars each, which shall be deemed personal property, and subscribed for and paid in at the times and upon the terms, and transferable in the manner to be prescribed in the by-laws of said company. The stockholders of said company may, by a two-thirds vote at a meeting called for that purpose, increase said stock not exceeding $500,000.

§ 4. Said company is empowered to develop, produce, utilize, convey and sell, or in any otherwise dispose of petroleum, natural gas and salt water, or any of them, which may be upon or come from any of the lands which said company may own, lease or control, or upon which, for any of said purposes, or to do any of the acts in this section mentioned, it may have or acquire the right. And to these ends said company is empowered to drill, bore or in anywise sink and maintain wells for the purpose of producing such petroleum, natural gas and salt water, or either, and construct, lay, maintain and operate derricks, buildings, machinery, tanks, pipes, receivers, gasometers, warehouses, manufactories, and any other improvements or appliances in or by means of which such petroleum, gas and salt water, or either, may be produced, stored, distributed, sold or utilized, and to construct, lay and operate conduit pipes of any kind, and any other suitable means for the conveyance, distribution, storing, sale and utilization of the same either upon, under, to or from any of said lands or other places.

§ 5. Said company shall, within five years after the passage of this act, expend or cause to be expended, not less than the sum of $200,000 in sinking, constructing and maintaining such wells in the county of Meade, in this State, and the conveyance of such gas to, and the distribution thereof in, the city of Louisville, and in constructing, laying, maintaining and operating machinery, pipes, receivers and any and all other appliances it may fairly deem needful for such conveyance and distribution; and if within said five years said company shall secure from such wells, and be able and ready to supply to said city of Louisville and the inhabitants thereof, upon terms provided herein, or to be agreed upon, a daily flow of such natural gas, not less than ten million cubic feet, and subject to all the conditions hereinafter provided in this section as to the purchase by and sale to said city of said company's rights, then, and not otherwise, said company shall, for a period of thirty years from the passage of this act, have the sole and exclusive right to convey natural gas from without into said city, and there distribute or sell the same or both, subject to any reasonable regulations for the convenience and safety of the inhabitants of said city as said city may, in the exercise of its governmental powers, deem proper to impose: *Provided*, And it is the condition of the foregoing grant of such exclusive right, that said city, by ordinance enacted as provided by its charter, and after it has given ninety days' previous written notice thereof to said com-

pany, shall, at any time, have the right, at its election, to purchase from said company, and said company shall accordingly sell, convey and transfer to it all said company's pipes, machinery, tanks, receivers, gasometers, buildings and apparatus generally in the city of Louisville, and its pipes leading from any of said wells to said city, and all said company's rights in and to the said gas wells supplying said city, and all the machinery, apparatus, buildings and improvements of any kind fairly connected with or incident to the use of said wells and pipes leading therefrom to said city; said purchase to be at a price equal to the reasonable value of said property and rights so to be sold, which value shall be ascertained by two disinterested persons, one selected by said city, and one by said company, and if they can not agree, they to select a third person as umpire. Said price shall be payable in the negotiable bonds of said city, bearing six per cent. per annum interest, and payable in not less than twelve nor more than thirty years from their date: *And provided further*, That so long as said company shall introduce such natural gas into said city, it shall supply said city with the same from any pipes or mains it may lay therein for the purpose of heating its public buildings, and operating any engines and machinery therein used for public purposes, and at a price not above six per cent. beyond the actual cost of such gas delivered to said company, nor in any event greater than twelve cents per thousand cubic feet: *Provided further*, That in computing said period of five years within which said company is to do the acts prerequisite to the exclusive right aforesaid, there shall be excepted therefrom, any time during which any such acts shall be prevented or delayed by injunction, or any other legal or equitable order or proceeding.

§ 6. With the consent of the city of Louisville, by ordinance or resolution of its General Council, and subject to its reasonable regulations as aforesaid, said company shall have power to open the ground in any street, alley, park, or other public place within said city's limits, and lay therein, remove, alter, and repair such pipes for so conducting and distributing said natural gas, restoring such ground, however, and any pavement or other improvement thereon to as good condition as before within a reasonable time thereafter; and in doing the acts in this section mentioned, said company shall cause no injury to any gas or water pipe or connection, or sewer laid within said ground, and shall be liable in damages for any such injury to said city, or any other corporation or person sustaining the same.

§ 7. In order to the conveyance of such natural gas to said city of Louisville, or to the manufactories aforesaid in said counties of Meade, Hardin and Jefferson, or either, said company shall have power to acquire, by purchase, gift, or, as hereinafter provided, by *ad quod damnum* proceedings, the use of any land along such route or routes in Meade, Hardin and Jefferson counties as may be selected by the board of directors of

said company, to lay, maintain and repair such pipes and any buildings, retorts, and any other apparatus needed to be used in order to the proper and economical conveyance of such gas as aforesaid; and in order to such acquisition by such *ad quod damnum* proceedings of such use of land, said company shall cause such use of, in, over and under only so much land as it may fairly deem necessary therefor, to be valued, condemned, and by it paid for in the manner prescribed in chapter 96, article 2, of the General Statutes of this State relating to "salt and saltpetre works and water pipes."

§ 8. Said company and its powers herein granted shall cease and determine upon the expiration of thirty years from the date of the passage of this act, except and provided that it shall not thereby lose its vested rights, but shall continue to exist and act for the purpose only of closing up its business and disposing of its property and dividing the same amongst its stockholders, creditors and others entitled thereto.

§ 9. Private property of the incorporators and stockholders of said company shall be exempt from its corporate debts and liabilities.

§ 10. All laws and acts or parts of laws and acts in conflict with this act are hereby repealed.

§ 11. This act shall take effect from and after its passage.

The amendment adopted by the House of Representatives to said bill reads as follows, viz:

By striking out the word "thirty" wherever it occurs, and inserting in lieu thereof the word "ten."

Mr. Frederick moved that said bill be referred to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	R. G. Hays,	R. S. Triplett,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
Henry Dixon,	J. H. McDanell,	F. D. Rigney—11.
W. H. Frederick,	J. N. Price,	

Those who voted in the negative, were—

R. T. Albritton,	T. S. Grundy,	D. H. Smith,
M. C. Alford,	J. D. Harris,	J. R. W. Smith,
R. A. Burnett,	S. E. Hill,	E. R. Sparks,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
F. M. Clement,	L. W. McKee,	J. H. Wilson—17.
G. G. Gilbert,	W. F. Neat,	

Mr. Clay proposed to amend said amendment as follows, viz:

By striking out the word "ten" wherever it occurs therein, and inserting in lieu thereof the word "five."

Mr. Kendall moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Clay to said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	G. G. Gilbert,	J. N. Price,
C. M. Clay, Jr.,	R. G. Hays,	J. H. Wilson,
Henry Dixon,	S. E. Hill,	E. L. Worthington,
W. H. Frederick,	L. M. Martin,	W. F. Neat—12.

Those who voted in the negative, were—

R. T. Albritton,	W. M. Cravens,	L. W. McKee,
M. C. Alford,	T. S. Grundy,	F. D. Rigney,
R. A. Burnett,	J. D. Harris,	D. H. Smith,
A. R. Byers,	H. T. Kendall,	E. R. Sparks,
F. M. Clement,	J. H. McDanell,	R. S. Triplett—15.

The question was then taken on concurring in the adoption of the amendment adopted by the House of Representatives to said bill, and it was decided in the affirmative.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had concurred in the adoption of said amendment.

Mr. Bryan moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Dixon, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	T. S. Grundy,	J. N. Price,
M. C. Alford,	J. D. Harris,	F. D. Rigney,
J. W. Bryan,	R. G. Hays,	D. H. Smith,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
F. M. Clement,	L. W. McKee,	R. S. Triplett—18.

Those who voted in the negative, were—

C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
Henry Dixon,	J. H. McDanell,	J. H. Wilson—7.
W. H. Frederick,		

In pursuance to a joint resolution heretofore adopted, the Speaker appointed Messrs. Harris and Worthington a committee on the part of the Senate to investigate charges affecting the management of Eastern Kentucky Lunatic Asylum.

Mr. Hays presented the petition of sundry citizens of Louisville praying for the continuance of the Geological Survey and Bureau of Immigration.

Which was read and referred to the Committe on Public Expenditures.

Mr. J R. W. Smith, from the Committee on Railroads, to whom was referred a bill, entitled

A bill to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Louisville, Harrodsburg and Virginia Railroad Company,'" approved March 9, 1868, and to change the name of said company to that of the Louisville Southern Railroad Company, and approved April 28, 1884,

Together with the amendment adopted by the House of Representatives to said bill,

Reported the same with the expression of opinion that said amendment should be concurred in.

[*For bill, see Senate Journal, February 12th.*]

Said amendment reads as follows, viz:

By striking out of the second section thereof the following words: "That none of the provisions of this section, or of this act, or of any act to which this is an amendment, shall apply to the city of Louisville."

Amend section 2 by adding "Mercer" after Harrison.

Amend section 2 by adding to said section the following words:

If a vote shall be taken upon the proposition to vote a tax on counties, or any part of a county, then said vote shall not be taken in the fifth voting district of Anderson county, nor shall any tax be assessed upon the personal property of said district.

Mr. Kendall moved that the further consideration of said bill and amendment be postponed, and that said bill be made the special order of the day for Friday, March 5th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sparks and Price, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers,	S. E. Hill,	F. D. Rigney,
W. M. Cravens,	H. T. Kendall,	W. H. Taulbee,
W. H. Frederick,	J. N. Price,	R. S. Triplett—9.

Those who voted in the negative, were—

R. T. Albritton,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	J. D. Harris,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	E. R. Sparks,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
F. M. Clement,	J. H. McDanell,	W. F. Neat—16.
G. G. Gilbert,		

Mr. Sparks moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on concurring in the amendment adopted by the House of Representatives to said bill, it was decided in the affirmative.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had concurred in the adoption of said amendment.

Mr. Clay moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration a joint resolution, entitled

Resolution to adjourn February 27, 1886, without day.

Mr. Bryan moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Wilson presented the petition of sundry citizens of Pu-

laski and Laurel counties, praying the repeal of the act authorizing the employment of convicts in mines.

Which was read and referred to the Committee on Penitentiary and House of Reform.

The Senate, according to order, took up for consideration a joint resolution, entitled

Resolution creating joint committee of conference upon the Penitentiary, etc.

Mr. Martin withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had adopted said resolution.

Mr. Clay moved to reconsider the vote by which the Senate had adopted said resolution.

And the question being taken thereon, it was decided in the affirmative.

Mr. Clay moved to lay said resolution on the table.

And the question being taken thereon it was decided in the affirmative.

So said resolution was rejected.

Mr. Cravens reported a bill, entitled

A bill to amend an act, entitled "An act to regulate working roads in Carroll county."

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

A bill to regulate railroad transportation,

Reported the same without an expression of opinion.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hill,

Ordered, That said bill be made the special order of the day for Wednesday, March 10th, and from day to day until disposed of.

The Senate took up for consideration a bill, entitled

A bill for the benefit of J. L. Yadon, of Laurel county.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Harris requested to be relieved from service on the joint committee appointed to visit the branch Penitentiary at Eddyville.

Which was granted.

Whereupon, the Speaker appointed Mr. McKee to serve on said committee.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Taulbee—

1. A bill to amend article 4, chapter 12, of the General Statutes.

On motion of Mr. McKee—

2. A bill to prevent stock from running at large in the city of Frankfort.

On motion of same—

3. A joint resolution in favor of D. O. Robinson, one of the guards at the State Penitentiary.

On motion of Mr. Hill—

4. A bill to incorporate the American Accident Company.

On motion of Mr. Hays—

5. A bill to repeal so much of the city charter of Louisville which is embraced in the ninth section of Burnett's revision or codification of the charter and ordinances of said city.

On motion of Mr. Wilson—

6. A bill changing the time of electing magistrates in the State.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 2d and 6th; the Committee on Propositions and Grievances the 3d; the Committee on Banks and Insurance the 4th, and the Committee on Finance the 5th.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Harris, from the Committee on Internal Improvements—

A bill to incorporate the Wilmore and Kentucky River Turnpike Road Company, in Jessamine county.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill authorizing the Chicago, St. Louis and New Orleans Railroad Company, and the Illinois Central Railroad Company, or either of them separately to build and maintain a railroad bridge across the Ohio river.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Worthington, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous and malt liquors in Larue county.

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act to incorporate the town of Dunmore, in Muhlenberg county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors in Springdale precinct of Jefferson county," approved April 15, 1884.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors in Springdale precinct, of Jefferson county," approved April 15, 1884, be, and the same is hereby, repealed.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Hays, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr.,	R. G. Hays,	D. H. Smith,
Henry Dixon,	H. T. Kendall,	J. R. W. Smith—6.

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	F. D. Rigney,
M. C. Alford,	G. G. Gilbert,	W. H. Taulbee,
J. W. Bryan,	T. S. Grundy,	R. S. Triplett,
R. A. Burnett,	J. D. Harris,	J. H. Wilson,
A. R. Byers,	S. E. Hill,	E. L. Worthington,
F. M. Clement,	J. H. McDanell,	J. N. Price—20.
W. M. Cravens,	W. F. Neat,	

So said bill was rejected.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had rejected said bill.

Mr. Frederick moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of Turner Hughes, of Lee county.

Mr. Taulbee moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Hays moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

THURSDAY, MARCH 4, 1886.

The Journal of yesterday was read and approved.

The regular Speaker, Hon. James R. Hindman being absent, Hon. Harry Glenn, Clerk, called the Senate to order, and announced that an election would be held to elect a Speaker *pro tem.* of the Senate, and that nominations were in order for said office.

Whereupon, Mr. J. R. W. Smith nominated Hon. R. G. Hays, of Louisville, as a suitable person to fill said office.

And no other nomination being made, Mr. Hays was unanimously elected Speaker *pro tem.* of the Senate, and thereupon appeared and took the oath required by the Constitution and laws of the State of Kentucky, and called the Senate to order.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the selling, giving or loaning of spirituous, vinous or malt liquors at or within two miles of Knoxville Baptist Church, at Knoxville, Pendleton county.

An act declaring Pond Run creek, in Breckinridge county, a navigable stream.

An act for the benefit of Harry Montgomery, of Scott county.

An act to authorize the congregation, Adas Israel, of the city of Louisville, to issue mortgage bonds.

An act to repeal an act, entitled "An act to amend an act for the benefit of Warren county," approved January 22, 1884.

An act to authorize the Rockcastle County Court to issue and sell bonds of said county, and to provide payment of same, for the purpose of building a new jail, etc.

An act to amend the charter of the city of Richmond.

An act to amend section 4, of article 3, of chapter 5, of General Statutes.

An act to authorize the County Court of Fayette county, to re-index deed and mortgage records of said county, and provide for the payment of same out of the county levy.

An act to amend section 1, article 1, chapter 55, of the General Statutes.

An act to empower the Jailer of Kenton county to appoint a Deputy Jailer.

An act to amend the charter of the Simpson County Agricultural and Mechanical Association.

An act to empower the Woodford County Court to make an appropriation for the improvement of the Versailles and Harrodsburg Turnpike Road, in Woodford county.

An act for the benefit of Mrs. Mattie Bennett, of Henry county.

An act to incorporate Allensville Seminary, in Todd county, Kentucky.

An act to amend an act, entitled "An act to incorporate the Lebanon Water-works Company," approved March 6, 1884.

An act to amend an act, entitled "An act to incorporate the town of Bethlehem, in Henry county."

An act to empower the County Court of Fayette county to appropriate money to complete the Childsburg and Bryant's Station Turnpike, in Fayette county.

An act to amend an act, entitled "An act for the benefit of Warren county," approved December 20, 1873.

An act to amend an act, entitled "An act to incorporate the Mount Freedom and Jessamine County Turnpike Road Company," approved March 5, 1870.

An act to amend an act, entitled "An act to incorporate the town of Slaughtersville, in Webster county."

An act to amend an act, entitled "An act to amend an act to empower the County Court of Grant county to make subscriptions to the capital stock of turnpike roads in said county, and the amendments thereto, and to authorize said County Court to issue bonds to raise funds to pay said subscriptions," approved February 9, 1884.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Weston, Crittenden county," approved March 21, 1882.

An act to amend and reduce into one the road laws of Greenup county.

An act to amend an act, entitled "An act to incorporate the Hawkins and Cummins Turnpike Road Company, in Bourbon county."

An act to amend the charter of the city of Hawesville.

An act to change the boundary of the town of Ghent, in Carroll county.

An act for the benefit of the Union and Sharpsburg Turnpike Road Company (Clarke route), in Nicholas county.

An act to repeal an act, entitled "An act to establish a road law for Grayson and Breckinridge counties."

An act to amend an act, entitled "An act to authorize the County Court of Pike county to issue bonds to raise money to build a court-house, jail, clerks' office and other public buildings," approved February 20, 1884.

An act to authorize and empower the Henry County Court to lay an ad valorem levy to pay for bridge, etc.

An act for the benefit of school district No. 12, in Kenton county.

An act to amend the charter of the city of Newport in relation to common schools in said city.

An act to amend an act, entitled "An act to incorporate the Paducah Gas-light Company," approved February 27, 1850.

An act to establish a Board of Commissioners for Lawrence county, and defining their powers and duties, and defining the duties of certain officers whose duties are connected therewith.

That they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1876.

With an amendment to said amendment.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to repeal chapter 1104, of Session Acts, 1883–84, entitled "An act to regulate the sale of liquors in Morgan county."

An act to repeal chapter 968, of Session Acts, 1883–84.

That they had passed bills of the following titles, viz:

1. An act to incorporate Father Mathew's Total Abstinence Society, of Mayslick, Mason county.

2. An act to prohibit and regulate the sale of spirituous, vinous and malt liquors in common school district No. 68, in Muhlenberg county, and in the town of Rosewood, of which district said town is a part.

3. An act to prohibit the sale of spirituous, vinous or malt liquors within five miles of the North Rolling Fork Baptist Church, on the Rolling Fork, in Boyle county.

4. An act to prevent the sale of spirituous, vinous and malt liquors in Rocky Hill Station, Edmonson county, and within one mile of the corporate limits of said town.

5. An act to prohibit the sale of spirituous, vinous or malt liquors in Logan county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred, the 1st, 2d, 3d and 4th to the Committee on Religion and Morals.

Ordered, That the 5th, the last-named bill, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. R. W. Smith moved the following resolution, viz:

Resolved, That the Chief Clerk of the Senate be, and he is hereby, authorized to appoint a Second Assistant Clerk.

Which was twice read, and adopted.

Whereupon, Hon. Harry Glenn, Chief Clerk, announced the appointment of Wm. Cromwell as Second Assistant Clerk.

Mr. Hill presented the petition of sundry citizens of town of McHenry, praying the passage of an act prohibiting the employing of convict labor in mining.

Which was received, the reading dispensed with, and referred to the Committee on Penitentiary and House of Reform.

On motion of Mr. Albritton, the rules were suspended, and the Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Hickman Bank.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Clay, from the Committee on Banks and Insurance, to whom was referred a resolution, entitled

Joint resolution requesting the Governor to inform the General Assembly whether the banks have fixed rates of exchange and make monthly reports thereof as required by law,

Reported the same with the expression of opinion that said resolution should be adopted.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

On motion of Mr. Albritton, leave of absence, indefinitely, was granted Mr. Clement.

Mr. Cravens, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to incorporate the Sulphur Natural Gas Fuel, Light and Salt Company, of Sulphur, Kentucky,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wallace,

Ordered, That said bill be recommitted to said committee, with directions to report on Monday next, March 8th, at 11 o'clock A. M.

Mr. Martin, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill authorizing and empowering Arthur and Wilcox and Luke Dees, their heirs or assignees to sue the Commonwealth of Kentucky to recover and have refunded to them the purchase money paid the State for lands purchased and entered by said Arthur and Wilcox and Luke Dees in the counties west of Tennessee river, under the act of January 3, 1825, and prior to February 28, 1835,

Reported the same without an expression of opinion.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Martin said bill was placed in the orders of the day.

Mr. Cravens presented the memorial and resolutions adopted by the Educational Convention, held at Frankfort, on February 27, 1886.

Which was read and referred to the Committee on Education.

The Speaker laid before the Senate an itemized statement of expenditures of the Geological Survey and Bureau of Immigration.

On motion of Mr. J. R. W. Smith said report was referred to the Committee on Public Expenditures.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Harris, from the Committee on Internal Improvements—

An act to authorize the County Court of Fulton county to levy an ad valorem tax.

By Mr. Grundy, from the same committee—

An act to amend the charter of the Maysville Training and Breeding Association.

By same—

An act to regulate the powers and duties of County Road Surveyors, in Marion county.

By Mr. Neat, from same committee—

An act to amend an act to incorporate the Bowling Green and Hadley Turnpike Company, approved February 21, 1878.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to incorporate the East End Banking Company, of Louisville.

By Mr. Hill, from the Committee on Courts of Justice—

An act to fix the time of holding the Madison County Court of Levy and Claims.

By Mr. Neat, from the Committee on Claims—

An act for the benefit of Patrick Kelly, of Woodford county.

By Mr. Harris, from the Committee on Internal Improvements—

An act to amend an act to incorporate the Stringtown and Beech Fork Turnpike Company.

By same—

An act to empower the County Court of Bath county to make subscriptions to the capital stock of turnpike road company.

By same—

An act for the benefit of the Carlisle and Park's Ferry Turnpike Road Company, in Nicholas county.

By Mr. Gilbert, from the same committee—

An act giving the Constable of the Lebanon district, in Marion county, the power to appoint a deputy.

By same—

An act to repeal an act to authorize the Commissioners for the county of Kenton to subscribe for stock in turnpike roads in said county, and provide means for the payment thereof, approved April 11, 1882.

By Mr. Frederick, from the Committee on Propositions and Grievances—

An act giving the further time of two years to the Sheriffs, ex-Sheriffs and Constables of this State to collect their uncollected taxes and fee bills.

By same—

An act to amend an act, entitled "An act to incorporate the Grandale Trotting Association," approved May 10, 1884.

By Mr. D. H. Smith, from the Committee on General Statutes—

An act to incorporate the Snead & Co. Iron Works.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bryan moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act, entitled "An act to incorporate the Grandale Trotting Association," approved May 10, 1884.

Which motion was simply entered.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Hill, from the Committee on Banks and Insurance—

A bill to incorporate the American Accident Company.

By same, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to maintain a graded school in Hartford, and to provide for the erection of school buildings therein," approved March 16, 1878.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Triplett—

1. A bill to incorporate the Owensboro Safety Vault and Trust Company.

On motion of Mr. Wallace—

2. A bill to authorize the County Judge of Boyd county to collect certain uncollected county revenue due said county.

On motion of same—

3. A bill to amend an act amending section 1, of an act to regulate the sale of spirituous liquors in Boyd county.

On motion of same—

4. A bill to amend section 2, chapter 113, General Statutes.

On motion of same—

5. A bill for the benefit of M. F. Garred, of Lawrence county, in relation to his ferry rights.

On motion of same—

6. A bill for the benefit of John Thompson, late Sheriff of Lawrence county.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on Finance the 2d; the Committee on General Statutes the 3d, 4th and 6th, and the Committee on Propositions and Grievances the 5th.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Paducah Savings and Deposit Bank;

An act to regulate the sale of spirituous, vinous and malt liquors within one mile of Park post-office, in Barren county;

An act to provide for removing obstructions in the water-courses of Calloway county;

An act to amend the charter of the town of Cornishville, in Mercer county;

An act to incorporate the Commercial Bank, of Catlettsburg;

An act giving further time, until the first Monday in May, 1886, for the Sheriff of Letcher county to execute his revenue bond and the bond for the county levy of said county;

An act to amend an act, entitled "An act to incorporate the Mackville and Perryville Turnpike Road Company;"

An act to incorporate the Deposit Bank of Hiseville, in Barren county;

An act to enable the County Court of Bracken county to borrow money to pay off the balance of the indebtedness of said county, occasioned by the erection of the new poor-house building, and to purchase necessary furniture for said new building;

An act to provide for repairing and keeping in repair the public roads of Pulaski county;

An act to incorporate the Journeymen House Painters' Association, of Louisville;

An act authorizing the Lewis County Court to build a bridge across Kinniconick creek;

An act to amend an act, entitled "An act to apportion the State into eleven Congressional Districts," approved April 15, 1882;

An act to amend an act to establish Knott county, approved May 5, 1884;

An act to authorize and empower the city of Bowling Green to erect and maintain a system of electric lights in said city, and to issue bonds for said purpose;

An act to amend the Boone county road law, chapter 220, Acts 1883-84;

An act for the benefit of the Stony Point and Seamand's Mill Turnpike Road Company, in Bourbon county;

And an enrolled bill which originated in the Senate, of the following title, viz:

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Louisville, Harrodsburg and Virginia Railroad Company,'" approved March 9, 1868, and to change the name of said company to that of the Louisville Southern Railroad Company, approved April 28, 1884;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Wilson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Rigney, were as follows, viz:

Those who voted in the affirmative, were—

W. M. Cravens,	R. G. Hays,	W. H. Taulbee,
John Feland,	W. F. Neat,	F. T. D. Wallace,
W. H. Frederick,	F. D. Rigney,	J. H. Wilson—9.

Those who voted in the negative, were—

M. C. Alford,	J. D. Harris,	D. H. Smith,
C. M. Clay, Jr.,	S. E. Hill,	J. R. W. Smith,
Henry Dixon,	H. T. Kendall,	E. L. Worthington,
G. G. Gilbert,	L. M. Martin,	J. N. Price—13.
T. S. Grundy,		

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Louisville City Railway Company.

An act to amend the charter of the Jefferson Railway Company, approved January 11, 1867.

An act to amend the charter of the Central Passenger Railroad Company.

Mr. Feland read and laid on the table the following joint resolution, viz:

Resolved by the Senate and House of Representatives, That this General Assembly adjourn until the first Monday in April, 1886.

Which, under the rule, lies over one day.

Mr. Feland moved that the rule be suspended, and that the Senate take up said resolution for consideration.

And the question being taken thereon, it was decided in the negative.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

A bill to require all companies operating railroads in this Commonwealth to provide and maintain sufficient ware rooms and other buildings at all railroad stations, and fixing the liability of such companies,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Martin,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday, March 9th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Wilson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Feland, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	T. S. Grundy,	D. H. Smith,
A. R. Byers,	J. D. Harris,	W. H. Taulbee,
W. M. Cravens,	R. G. Hays,	F. T. D. Wallace,
W. H. Frederick,	F. D. Rigney,	J. H. Wilson—12.

Those who voted in the negative, were—

M. C. Alford,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	H. T. Kendall,	E. L. Worthington,
John Feland,	W. F. Neat,	R. S. Triplett—11.
G. G. Gilbert,	J. N. Price,	

And then the Senate adjourned.

FRIDAY, MARCH 5, 1886.

On motion of Mr. Price the reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the Senate, of the following titles, viz:

An act to authorize the consolidation of the Centreville and Jacksonville and the Broadwell and Silas Creek Turnpike Companies.

An act to repeal an act to authorize the Court of Claims of Bourbon county to appoint a Turnpike Commissioner, approved March 19, 1878.

An act to provide for vacating the charter of the Brookville and Claysville Turnpike Company, as to part of its road.

An act to authorize the Courts of Claims of Harrison and Robertson counties to provide for repairing and maintaining a part of the Brooksville and Claysville Turnpike.

An act to authorize the sale of the Cynthiana and Indian Creek Turnpike Road.

That they had adopted a resolution and passed bills of the following titles, viz:

A joint resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a bill preventing the retirement of Captain James E. Jouett, of the United States Navy.

1. An act for the benefit of the creditors of the Clark and Bourbon Turnpike Road Company.

2. An act to repeal an act, entitled "An act to provide for the working of the public roads in the counties of Pulaski, Rockcastle and Laurel," approved May 9, 1884.

3. An act for the benefit of the Carlisle and Pleasant Spring Turnpike Road Company, in Nicholas county.

4. An act to incorporate the Anderson City and Fox Creek Turnpike Road Company.

5. An act to incorporate the Camdensville and Johnsonville Turnpike Company.

6. An act to amend the charter of the city of Carlisle, in Nicholas county.

7. An act to consolidate the Carlisle and Rogers Mill and the Flat Rock Turnpike Road Companies, and for the benefit of said companies.

8. An act to incorporate the Buck Creek Coal Company, in Whitley county.

9. An act for the benefit of the Cain Run Turnpike Road Company, in Nicholas county.

10. An act to establish a road law for Boyd county.

11. An act for the benefit of the Carlisle and East Union Turnpike Road Company.

12. An act to extend the Case Crowder and Etherington Turnpike Road from its present terminus at the end of the Tattletown pike to the Washington county line, at or near Goodlitt schoolhouse.

13. An act to repeal an act, entitled "An act to create the office of road commissioner, in Johnson county, and to provide for the appointment of the same.

14. An act to incorporate the McClure and Alton Turnpike Road Company, in Anderson county.

15. An act declaring Salt Lick creek, in Floyd and Knott counties, a navigable stream.

16. An act to amend an act, entitled "An act to regulate the working and laying out of public roads in Russell county," approved May 12, 1884.

17. An act to amend an act, entitled "An act to incorporate the Versailles and Midway Railway Company," approved April 15, 1884.

Which resolution was taken up, twice read, and concurred in.

Said bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 14th and 16th to the Committee on Internal Improvements; the 2d, 4th, 5th and 12th to the Committee on Agriculture and Manufactures; the 3d, 6th, 7th and 11th to the Committee on the Judiciary; the 13th to the Committee on General Statutes; the 15th to the Committee on Pro-

positions and Grievances, and the 17th to the Committee on Railroads.

Ordered, That the tenth named bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Triplett, from the Committee on Finance—

An act for the benefit of Hardin county, and to dispose of a surplus fund in the hands of the Commissioners of the Sinking Fund of said county.

By same—

An act to authorize the Boyle County Court to levy and collect an ad valorem tax to pay the ordinary expenses of Boyle county.

By Mr. Sparks, from the Committee on Agriculture and Manufactures—

An act to incorporate the Lexington Industrial School, of Lexington, Ky.

By Mr. Grundy, from the Committee on Claims—

An act for the benefit of N. M. Williams, of Marshall county.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Versailles and Midway Railway Company," approved April 15, 1884.

By same—

An act to amend an act, entitled "An act to charter the Cairo and Tennessee River Railroad," approved March 10, 1873.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to incorporate and establish the Deposit Bank of Monticello, in Wayne county.

By Mr. Wallace, from the Committee on General Statutes—

An act to authorize and empower the County Court of John-

son county to issue the bonds of said county to pay for the right of way of any railway company through said county.

With amendments to the two last-named bills.

Which were adopted.

Ordered, That said bills, the two last as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Triplett, from the Committee on Finance—

A bill to regulate the sale of real and personal estate for taxes in this Commonwealth.

By Mr. Bryan, from the Committee on the Judiciary—

A bill to amend the charter of the city of Covington.

By Mr. Berry, from the Committee on Education—

A bill to incorporate the New Harmony Club, of Louisville.

By same—

A bill for the benefit of Park Haynes and other persons.

By same—

A bill to amend an act, entitled "An act to establish a system of public graded schools in the city of Mt. Sterling," approved April 15, 1884.

By same—

A bill for the benefit of the Vaughn Female Academy.

By Mr. D. H. Smith, from the Committee on General Statutes—

A bill to amend sections 19 and 20, of chapter 24, of General Statutes, title "Conveyances."

By Mr. Wallace, from the same committee—

A bill to prohibit stock from running at large in the city of Frankfort.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Triplett, from the Committee on Finance, to whom was referred leave to bring in a bill, entitled

A bill to incorporate the Louisville Savings Investment Association,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Clay,

Ordered, That said bill be recommitted to the Committee on Banks and Insurance.

Mr. Triplett, from the Committee on Finance, to whom was recommitted a bill, entitled

An act to authorize the City Council of Stanford to issue bonds to pay off the outstanding indebtedness of the city of Stanford, and to provide street lamps for the city,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Triplett, from the Committee on Finance, to whom was referred leave to bring in a bill, entitled

A bill to amend section 3, article 2, chapter 61, General Statutes,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wilson objected to the further reading of said bill on this day.

Mr. Gilbert moved that the rules be suspended and that said bill be ordered to a third reading.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wallace and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	T. S. Grundy,	F. D. Rigney,
C. M. Clay, Jr.,	S. E. Hill,	D. H. Smith—7.
G. G. Gilbert,		

Those who voted in the negative, were—

A. S. Berry,	R. G. Hays,	E. R. Sparks,
J. W. Bryan,	L. M. Martin,	R. S. Triplett,
A. R. Byers,	W. F. Neat,	F. T. D. Wallace,
W. M. Cravens,	J. R. W. Smith,	J. H. Wilson—13.
W. H. Frederick,		

Mr. Berry moved the following resolution, viz:

Resolved, That our United States Senators be respectfully requested to use all honorable means to secure aid from the National Government for the promotion of education in the States and Territories.

Mr. Berry moved that the rules be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	H. T. Kendall,	F. D. Rigney,
A. R. Byers,	L. M. Martin,	J. R. W. Smith,
W. M. Cravens,	W. F. Neat,	R. S. Triplett,
W. H. Frederick,	J. N. Price,	J. H. Wilson—13.
R. G. Hays,		

Those who voted in the negative, were—

R. T. Albritton,	C. M. Clay, Jr.,	S. E. Hill,
M. C. Alford,	G. G. Gilbert,	F. T. D. Wallace—7.
J. W. Bryan,		

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Snead & Co. Iron Works.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. J. R. W. Smith,

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. Cravens, from the Committee on Courts of Justice, to whom was recommitted a bill, entitled

An act to incorporate the Sulphur Natural Gas, Fuel and Salt Company, of Sulphur,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to establish eight hours as a day's work.

Mr. Hill moved to amend said bill by striking out the preamble thereof.

And the question being taken thereon, and a quorum of the Senate not voting thereon,

Ordered, That said bill be placed in the orders of the day.

Mr. Berry moved to suspend the rules, and that said bill be made the special order of the day for Wednesday, March 10th, at 11 o'clock.

And the question being taken thereon, it was decided in the affirmative.

Mr. Alford, from the Committee on Appropriations, to whom was referred leave to bring in a bill, entitled

A bill providing for the removal of the State Capital,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday, March 12th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Wilson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act to amend article 2, chapter 33, entitled 'Elections,' of the General Statutes," approved March 8, 1876,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to amend article 2, chapter 33, entitled 'Elections,' of the General Statutes," approved March 8, 1876, be, and the same is hereby, amended by striking out all of section 1 and substituting in place thereof the following, viz: That an election for two Justices of the Peace shall be held in each justices' district on the first Saturday in April, 1887, and on the same day every fourth year thereafter, and for a Constable in each district on the first Saturday in April, 1887, and on the same day every second year thereafter.

§ 2. This act to take effect from and after its passage.

Mr. Wilson objected to the further reading of said bill on this day.

So the same fell into the orders of the day.

Mr. Hill moved to suspend the rules and take up said bill for consideration.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Wilson and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

R. G. Hays, F. T. D. Wallace, J. H. Wilson—3.

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	J. N. Price,
M. C. Alford,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	H. T. Kendall,	E. R. Sparks,
W. M. Cravens,	L. M. Martin,	R. S. Triplett—17.
W. H. Frederick,	W. F. Neat,	

So said bill was rejected.

Mr. Bryan, from the Committee on Penitentiary and House of Reform, to whom was referred a resolution from the House of Representatives, entitled

Resolution calling upon the Commissioners and Warden of the Penitentiary for a report concerning clothing for ex-convicts,

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

Mr. Bryan, from the Committee on Penitentiary and House of Reform, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 3, 1880,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Clay moved that the Senate do now adjourn.

Mr. Price moved that the Senate do now adjourn until Monday, March 8th, at 11 o'clock A. M.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	A. R. Byers,	J. N. Price,
M. C. Alford,	W. M. Cravens,	J. R. W. Smith,
A. S. Berry,	W. H. Frederick,	E. R. Sparks—10.
J. W. Bryan,		

Those who voted in the negative, were—

C. M. Clay, Jr.,	H. T. Kendall,	D. H. Smith,
G. G. Gilbert,	L. M. Martin,	R. S. Triplett,
T. S. Grundy,	W. F. Neat,	F. T. D. Wallace,
R. G. Hays,	F. D. Rigney,	J. H. Wilson—13.
S. E. Hill,		

The question was then taken on the motion made by Mr. Clay, and it was decided in the negative.

Mr. J. R. W. Smith, from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of W. C. Comstock, lessee of the Mammoth Cave Hotel, in Edmonson county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Gilbert moved that said bill be referred to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Cravens moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Alford, from the Committee on Appropriations, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of the Kentucky Institution for the Education of the Blind,

Reported the same without amendment.

Ordered, That said bill be referred to the Committee on Charitable Institutions.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of J. L. Yadon, in Laurel county;

An act, entitled "An act to revise and amend and reduce into one the charter and various amendments relating to the town of South Carrollton, in Muhlenberg county;

An act to incorporate the town of Blaine, in Lawrence county;

An act to prohibit the sale of spirituous, vinous and malt liquors in Larue county;

An act to prohibit the sale of spirituous, vinous or malt liquors in Logan county;

An act giving the Constable of the Lebanon district, in Marion county, the power to appoint a deputy;

And an enrolled bill which originated in the Senate of the following title, viz:

An act to amend the charter of the Franklin Insurance Company, of Louisville;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Martin—

1. A bill to amend an act to amend the charter of the Covington and Lexington Railroad Company, approved March 10, 1856.

On motion of Mr. Bryan—

2. A bill, entitled "An act to amend an act, approved April 19, 1884, entitled 'An act to amend an act to amend the charter of the Beaver Creek and Cumberland River Coal Company.'"

On motion of Mr. Frederick—

3. A bill to amend an act, approved April 24, 1884, to prevent frauds in the manufacture and sale of commercial fertilizers in this Commonwealth.

On motion of Mr. Byers—

4. A bill for the benefit of W. C. Comstock, lessee of Mammoth Cave.

On motion of Mr. Wallace—

5. A bill to further regulate and define the duties of the Trustees of the Jury Fund and the Clerks of the Circuit and Criminal Courts of this Commonwealth.

On motion of Mr. D. H. Smith—

6. A bill to make the offices of Circuit Court Clerk and Trustee of the Jury Fund incompatible.

On motion of Mr. Wilson—

7. A bill for the benefit of T. S. Wilson, of Knox county.

On motion of Mr. Gilbert—

8. A bill to require all commissioners of chancery and other courts to pay into the State Treasury all funds and money in their hands which has escheated to the Commonwealth.

Ordered, That the Committee on Railroads prepare and bring in the 1st; the Committee on Agriculture and Manufactures the 2d and 3d; the Committee on Charitable Institutions the 4th; the Committee on General Statutes the 5th, 6th and 8th, and the Committee on Claims the 7th.

On motion of Mr. Rigney, the Senate then adjourned.

SATURDAY, MARCH 6, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had passed a bill which originated in the Senate, entitled

An act to incorporate the Cowan Station and Licking Valley Turnpike Road.

That they had passed bills of the following titles, viz:

1. An act to regulate the selling, lending, procuring for, or giving of spirituous, vinous or malt liquors, or any intoxicating drink, in the county of Carter.

2. An act to fix the portion of county and municipal expenses to be paid by the city of Covington, in the county of Kenton.

3. An act to amend an act, entitled "An act to empower the County Court of Pendleton county to make subscription to the capital stock of turnpike roads in said county," approved March 15, 1878.

4. An act to amend an act, entitled "An act to authorize the County Court of Fayette county to subscribe stock in turnpike roads," approved April 1, 1882.

5. An act to empower the Grant County Court to repair and operate all that portion of the Covington and Lexington Turnpike Road which lies in Grant county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Religion and Morals; the 2d to the Committee on Finance; the 3d to the Committee on Internal Improvements, and the 4th to the Committee on Courts of Justice.

Ordered, That the 5th, the last-named bill, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Neat, leave of absence, indefinitely, was granted Messrs. Albritton, Frederick, Taulbee, Price and Alford.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 6, 1886.

Gentlemen of the Senate and House of Representatives:

It becomes my unpleasant duty to call your attention to the accompanying report just received from Louis D. Craig, State Inspector of Convicts, at Greenwood, Pulaski county, in order that you may take such steps as your wisdom may suggest in view of the circumstances existing at that point. I have the honor to transmit also a copy of the notice, in writing, delivered to Mr. Dandridge, one of the contractors on yesterday. These documents require no comment from me, and I have only to express the hope that you may immediately take such measures as will prevent the threatened violence and maintain the majesty of the law.

Very respectfully,

J. PROCTOR KNOTT.

GREENWOOD, March 5, 1886.

To His Excellency, J. P. KNOTT, *Frankfort, Kentucky:*

DEAR SIR: As State Inspector, at Greenwood Camp, I feel it to be my duty to report officially an occurence which will be verbally reported by Mr. Dandridge. This afternoon about 3:30 P. M., a well-organized, well-armed and almost sober mob of about two hundred men marched to the camp and demanded that we march the prisoners to the depot and keep them there until a train could be had to take them to Frankfort, and that we remove all stores, etc., from the camp buildings, as they intended to destroy the buildings at once. At this time the convicts were in the mines. We reasoned with them as best we could, and finally prevailed upon them to allow the men to

remain in the prison idle for two days till we could communicate with you. This is the present situation. I desire to say briefly that this is but the beginning of trouble, and there are but two alternatives, either to issue orders by Sunday for the removal of the men, or to send a sufficient force of troops by that time to protect the contractors in their work and to hold the prisoners. The county has not a Sheriff at present.

LOUIS D. CRAIG, *Inspector*.

GREENWOOD, KY., March 5, 1886.

Mr. Superintendent Greenwood Prison:

It is requested by the citizens assembled here that you instruct your guards to march the convicts to the Beaver Creek and Cumberland River Coal Company engine house, and deposit them therein and guard them until you can get a train to take them to the walls; and you are also requested to remove all goods, provisions, household goods, clothing, and other similar belongings of said convict company, out of, and a sufficient distance away from, the prison buildings, to insure their safety, as we intend to down and destroy all buildings inside of prison inclosure. Any assistance you may need in removing prisoners or plunder will be furnished immediately. We desire to do no bodily harm to any one, and will expect you to see that your guards are particular to not incite any thing of the kind. Our home people must live, hence we do this.

Respectfully,

THE PEOPLE.

The time allowed for moving all effects is not to exceed two hours and thirty minutes. PEOPLE.

Mr. Gilbert moved that the Senate go into the Committee of the Whole on the state of the Commonwealth to consider said message.

And the question being taken thereon it was decided in the negative.

Mr. J. R. W. Smith moved a call of the Senate.

And the question being taken thereon, it was decided in the affirmative.

The roll of the Senate was then called, and the following Senators responded to their names, viz:

A. S. Berry,	T. S. Grundy,	D. H. Smith,
A. R. Byers,	R. G. Hays,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
John Feland,	W. F. Neat,	J. H. Wilson—17.
G. G. Gilbert,	F. D. Rigney,	

Messrs. Albritton, Alford, Boles, Bryan, Burnett, Bush, Caudill, Clement, Frederick, Harris, Hill, McKee, Ogilvie, Price, Simon, Sparks, Taulbee, Walker and Wallace were absent on leave.

The Speaker of the Senate ordered the Sergeant-at-Arms to close the doors and bring in the absent Senators.

Mr. J. R. W. Smith moved to dispense with further proceedings under the call.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hill moved the following resolution, viz:

Resolved by the Senate, That a committee of five Senators be appointed by the Speaker to confer with a similar committee on the part of the House of Representatives, to take into consideration the subject of the message just received from the Governor with reference to threatened violence at Greenwood mines in Pulaski county, and report what action the emergency requires.

Which was twice read, and adopted.

Whereupon, in pursuance to said resolution, the Speaker appointed Messrs. Hill, Clay, Wilson, Gilbert and Berry such committee.

Mr. Hill moved that said committee report specially on Wednesday, March 10th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

Mr. Berry read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly, That the prisoners now at Greenwood be placed in the Penitentiary at Frankfort.

Which, under the rule, lies one day on the table.

On motion of Mr. Berry,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the disagreement by the Senate to a bill which originated in the House of Representatives, entitled

An act in relation to school district No. 26, Cedar Run precinct, Franklin county.

After a short time the Clerk reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

On motion of Mr. Berry the third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Berry moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

Mr. Rigney, from the Committee on Public Expenditures, to whom was referred the report of the Commissioners appointed to disburse the fund appropriated for exhibit of Kentucky products at Louisville and New Orleans Expositions,

Asked that said report be printed and recommitted to said committee.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration a joint resolution, entitled

Resolution to adjourn until first Monday in April, 1886.

By unanimous consent Mr. Feland, who offered said resolution, was permitted to withdraw the same from the further consideration of the Senate.

Mr. Grundy presented the petition of sundry citizens of Madison county, and of the Commonwealth, praying the passage of an act enabling women to vote in Presidential elections under the provisions of article 2, section 2, of the United States Constitution.

On motion of Mr. Grundy,

Ordered, That said petition be referred to a select committee composed of Messrs. Berry, Taulbee, Triplett and Dixon, with leave to report specially at any time.

Mr. Feland presented the petition of sundry citizens of Hopkinsville and vicinity, praying the passage of an act authorizing

the city of Hopkinsville to provide the means and aid in the construction of the Hopkinsville and Cadiz Railroad and its branches.

Which was received, the reading dispensed with, and referred to the Committee on Railroads.

Mr. D. H. Smith, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to repeal an act, entitled "An act to regulate tolls on the Bardstown and Green River Turnpike Road Company,"

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Hays objected to the further reading of said bill on this day.

So said bill fell into the orders of the day.

The Senate took up for consideration a bill, entitled

A bill to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock, and all other except life insurance companies," approved March 12, 1870.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Kendall, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Buck Creek Coal Company, in Whitley county,

Reported the same without amendment.

On motion of Mr. D. H. Smith,

Ordered, That said bill be recommitted to said committee.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Worthington, from the Committee on Religion and Morals—

A bill to prohibit the sale, barter and traffic in spirituous vinous and malt liquors in Christian county.

By Mr. Neat, from the Committee on Claims—

A bill for the benefit of James Williams, of Cumberland county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Gilbert—

1. A bill to prohibit the sale of spirituous, vinous and malt liquors in the first and second magisterial districts in Shelby county.

On motion of Mr. Neat—

2. A bill for the benefit of James Williams, of Cumberland county.

On motion of Mr. Berry—

3. A bill to appropriate money to remove a mill dam in Magoffin county.

On motion of same—

4. A bill for the benefit of Newton Craig, former Keeper of the Kentucky Penitentiary.

On motion of Mr. J. R. W. Smith—

5. A bill amending an act incorporating the Continental Life Insurance Association.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st; the Committee on Claims the 2d, 3d and 4th, and the Committee on Banks and Insurance the 5th.

Mr. Byers, from the Committee on Internal Improvements, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of the creditors of the Clark and Bourbon Turnpike Road Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Patrick Kelly, of Woodford county;

An act to fix the time of holding the Madison County Court of Levy and Claims;

An act to incorporate the town of Dunmore, in Muhlenberg county;

An act for the benefit of the Carlisle and Park's Ferry Turnpike Road Company, in Nicholas county;

An act to amend an act to incorporate the Bowling Green and Hadley Turnpike Company, approved February 21, 1878;

An act to authorize the County Court of Fulton county to levy an ad valorem tax;

An act to amend an act, entitled "An act to incorporate the Versailles and Midway Railway Company;

An act to authorize the County Levy Court of Bath county to levy an ad valorem tax for county purposes;

An act to repeal an act to authorize the Commissioners for the county of Kenton to subscribe for stock in turnpike roads in said county, and provide means for the payment thereof, approved April 11, 1882;

An act to amend the charter of the Maysville Training and Breeding Association;

An act to empower the County Court of Bath county to make subscriptions to the capital stock of turnpike road companies;

An act to regulate the powers and duties of County Road Surveyors, in Marion county;

An act to amend an act to incorporate the Stringtown and Beech Fork Turnpike Road Company;

An act giving the further time of two years to the Sheriffs, ex Sheriffs, Constables and Tax Collectors of this State to collect their uncollected taxes and fee bills;

An act to amend an act, entitled "An act to charter the Cairo and Tennessee River Railroad," approved March 10, 1873;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the Economic Heating Company;

An act for the benefit of J. E. Edwards, Assessor of Trigg county;

An act to amend and reduce into one the several acts concerning the town of Earlington;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Neat reported that the committee had performed that duty.

On motion of Mr. Feland, the Senate then adjourned until Monday, at 10:30 o'clock A. M.

MONDAY, MARCH 8, 1886.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had adopted resolutions and passed bills of the following titles, viz:

1. Resolution authorizing the appropriation of $50 to Robert Lumis, for services at the Back Capitol.

2. An act to amend an act, entitled "An act to provide for working and keeping in repair the county roads of Campbell county," approved April 3, 1884.

3. An act to regulate transfers and changes of venue in felony cases, which are now pending in the counties of Floyd, Breathitt, Perry and Letcher.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the 1st to the Committee on Claims; the 2d to the Committee on Internal Improvements, and the 3d was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives announcing that they had adopted a resolution, entitled

Resolution fixing a day for the adjournment of the General Assembly.

Mr. J. R. W. Smith moved to suspend the rules and take up said resolution for consideration.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Triplett and Cravens, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	J. D. Harris,	L. M. Martin,
A. R. Byers,	R. G. Hays,	W. F. Neat,
C. M. Clay, Jr.,	S. E. Hill,	J. R. W. Smith,
F. M. Clement,	H. T. Kendall,	R. S. Triplett—13.
T. S. Grundy,		

Those who voted in the negative, were—

M. C. Alford,	J. W. Ogilvie,	W. H. Taulbee,
W. M. Cravens,	J. N. Price,	Robert Walker,
Henry Dixon,	F. D. Rigney,	J. H. Wilson—11.
L. W. McKee,	D. H. Smith,	

On motion of Mr. Hill, the Speaker appointed Messrs. Hill and Dixon a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the House of Representatives, entitled

An act to revise and amend and reduce into one the charter and various amendments relating to the town of South Carrollton, in Muhlenberg county.

After a short time Mr. Hill, from said committee, reported that the committee had performed that duty and handed said bill in at the Clerk's desk.

Mr. Harris presented the petition of sundry citizens of Glade precinct, Madison county, praying the passage of an act authorizing the opening of a poll at the next State election, at which the voice of the people shall be taken for or against the entire prohibition of the sale of intoxicating liquors as a beverage throughout the State.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

Mr. D. H. Smith, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Snead & Co. Iron Works,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Chas. S. Snead, Chas. S. Snead, Jr., W. R. Snead, W. H. G. Ellis, Louis Arnold and W. W. Crawford be, and are hereby, incorporated as a body-politic and corporate, under the name and style of the Snead & Co. Iron Works, and under that name shall have perpetual succession; may sue and be sued; contract and be contracted with; have a common seal, and alter the same at pleasure, and may in any way acquire and hold and transfer real and personal property just as a natural person in the prosecution of business. It shall also have power to indorse and become surety for other persons and corporations, and to do any other acts or things that may be necessary or proper or incident to the carrying on of its business.

§ 2. The business of said corporation shall be a foundry and iron works for the manufacturing, erection and sale of iron work for buildings, bridges and structures of all kinds; also the

manufacturing, erection and sale of machines, implements, tools, safes, vaults and locks of all kinds; the purchase and sale of real estate, and the purchase, sale, manufacturing and erection of buildings and building material, and the manufacturing and sale of metal work of every description, and shall be carried on in or near Louisville, Jefferson county, Kentucky; but it shall have the right to establish agencies, offices and workshops elsewhere to assist in carrying out the objects of the company.

§ 3. The capital stock of said corporation shall be $250,000 in shares of $100 each, which may be paid for in money or property, and upon a vote of a majority of the stockholders in value, the stock may be increased from time to time as they please, not to exceed $1,000,000 in all. Certificates of stock shall be issued and signed by the president or by the vice-president, and countersigned by the secretary, with the seal of the corporation annexed. The stock shall only be transferable on the books of the company, and so as to show the name of the person, by whom and to whom the transfer is made, the numbers or other designation of the shares, and the date of the transfer; or, if otherwise transferred, shall only affect the parties to the transfer; and the corporation shall have a lien superior to all others on the stock of any stockholder for any indebtedness of his to the corporation, and the Board of Directors shall have the power to make by-laws regulating the manner and terms on which the stock shall be sold, giving preference, if they see proper in such sales, to the holders of stock, and each share shall entitle the owner to one vote in any matter acted on by said stockholders.

§ 4. The affairs of the corporation shall be conducted by a board of not less than three nor more than nine directors, chosen from the stockholders, and a president and a vice-president chosen from the Board of Directors, and such other officers, agents and servants as the board may direct, or as the president or vice-president may employ; and the duties of those persons shall be such as the Board of Directors or president or vice-president may prescribe. The election of directors shall be held on the first Monday in January, 1887, and every two years thereafter (a majority of the shares of the stock controlling), but each member of the board shall hold his office till his successor is elected and qualified, and any vacancy occurring between the times of election may be filled by the board. A majority of the board shall constitute a quorum to transact business. The board shall elect one of its own members president and another vice-president; and these two officers shall employ such persons and carry on the business of the corporation in such way as to them may seem proper; subject only to the control and supervision of the Board of Directors. The Board of Directors shall have power to make such by-laws and regulations for the transactions of business consistent with law as it may deem proper, and may do any thing proper to be done by them in order to the successful carrying on of its business.

§ 5. The corporation shall have power to issue, sell or pledge as collateral its bonds in such form and such amounts, payable at such times as it may deem best, not exceeding in the aggregate at one time one half the amount of its capital stock, and may mortgage its property, rights and franchises to secure the payment of said bonds.

§ 6. The directors shall declare and pay to the stockholders from the net profits of the business such dividend or dividends as in their discretion are wise and prudent.

§ 7. The private property of stockholders shall be exempt from liability for the debts of the corporation.

§ 8. The company or corporation organized in Louisville and Jefferson county, Kentucky, under chapter 56, title "Incorporated Companies," of the General Statutes, called the Snead & Co. Iron Works, may, by a vote of a majority of its stock, a cept this charter, and when that is done the capital stock of that company or corporation shall become capital stock in this company or corporation, and the assets and liabilities of that company or corporation shall become the assets and liabilities of this company or corporation, and the certificates of stock in that company or corporation shall be surrendered, and new ones issued; and this corporation shall supersede and stand in place of that one in every particular, except that its corporate existence, rights, powers and privileges shall be derived from this charter, instead of from chapter 56, of the General Statutes, and when this charter is accepted as aforesaid, then the business of this corporation shall begin, and the corporation continue in existence for fifty years from the passage of this act. The directors of the old company or corporation shall continue the directors of this corporation until the first Monday of January, 1887, or until their successors are elected and qualified.

§ 9. Said corporation shall have power to construct and operate a rail or tram-way to be used exclusively for the purpose of its business to any place where it may be doing business or erecting a bridge or other building or structure, provided it is done with the consent of the persons or corporation, who own or control the land or highway over which it may pass.

§ 10. The said corporation shall have all other powers and rights allowed by law not expressly mentioned herein. This act shall take effect from its passage.

Mr. D. H. Smith moved to amend said bill as follows, viz:

Amend by inserting the word "such," after the word "transfer" in the ninth line of section 1, and by inserting after the word "property" in the ninth line of section 1, the following words, to wit: "As shall be necessary in carrying on its business," and by striking from the tenth line of section 1, after the word "person," the following words, to wit: "In the prosecution of its business." Further amend by striking from section 2, the following words, to wit: "The purchase and sale of real estate, and the purchase sale."

Mr. Hays moved to suspend the orders of the day until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hill moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. D. H. Smith to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Hill, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr., D. H. Smith—2.

Those who voted in the negative, were—

R. T. Albritton,	R. G. Hays,	F. D. Rigney,
A. R. Byers,	S. E. Hill,	J. R. W. Smith,
W. M. Cravens,	H. T. Kendall,	W. H. Taulbee,
Henry Dixon,	W. F. Neat,	R. S. Triplett,
T. S. Grundy,	J. W. Ogilvie,	Robert Walker,
J. D. Harris,	J. N. Price,	J. H. Wilson—18.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Martin moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That no member of the General Assembly shall be entitled to the *per diem* except from the time he is actually engaged in the service of the State at the seat of Government or on committees sent from the seat of Government.

Which, under the rule, lies over one day.

Mr. D. H. Smith moved to suspend the rules and take up said resolution for consideration.

And the question being taken thereon, it was decided in the negative.

Mr. Martin moved to reconsider the vote by which the Senate had refused to suspend the rules and take up said resolution.

And the question being taken thereon it was decided in the affirmative.

Mr. Martin moved to suspend the rule and take up said resolution for consideration.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	T. S. Grundy,	J. N. Price,
M. C. Alford,	J. D. Harris,	F. D. Rigney,
C. M. Clay, Jr.,	R. G. Hays,	D. H. Smith,
F. M. Clement,	S. E. Hill,	W. H. Taulbee,
W. M. Cravens,	L. M. Martin,	Robert Walker—17.
Henry Dixon,	W. F. Neat,	

Those who voted in the negative, were—

A. R. Byers,	J. R. W. Smith,	J. H. Wilson—5.
H. T. Kendall,	R. S. Triplett,	

Mr. Rigney moved to postpone the further consideration of said resolution until Tuesday, March 9th, at 11:30 o'clock A. M.

Mr. J. R. W. Smith moved to postpone the further consideration of said resolution until the first day of April.

The question was then taken on the motion made by Mr. J. R. W. Smith, and it was decided in the affirmative.

Mr. Price moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to establish a road law for Boyd county.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Price moved to amend said bill by inserting the enacting clause therein.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee moved the following resolution, viz:

WHEREAS, This Commonwealth did, through its legally authorized agents, the Commissioners of the Sinking Fund, acting in pursuance of its statute laws and in discharge of the duty imposed upon them, hereby hire to the Mason & Foard Company the labor of all the convicts confined in its Penitentiary from the first day of April, 1885, for four years then next ensuing for a full and fair consideration; said convicts to be worked (with the exceptions in said contract specified) upon construction of railroads, canals, water-ways and levees and in mining; and whereas, said company has entered upon and undertaken the discharge of its part of said contract in good faith, and has thus far performed its undertaking with the Commonwealth promptly and honestly; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the honor, dignity, credit and good faith of said Commonwealth are pledged by every consideration of patriotic pride, public decency and common honesty to secure to said Mason & Foard Company the peaceable enjoyment of all its rights under said contract at whatever cost, and that the Governor be, and he is hereby, requested to see that the integrity of the Commonwealth and the rights of said company involved therein shall at all times be fully maintained by all lawful means at his command.

Which, under the rule, lies over one day.

Mr. Triplett moved that said resolution be postponed and made the special order of the day for Thursday, March 12th, at 11 o'clock.

Mr. Hill moved that said resolution be referred to the special joint committee heretofore appointed to investigate, and report upon the disturbances at Greenwood mines.

And the question being taken on the motion made by Mr. Hill, it was decided in the affirmative.

Mr. Wilson moved the following resolution, viz:

Resolved, That the joint sub-committee heretofore appointed and authorized to investigate and report upon the treatment and employment of convicts in coal mines, is hereby requested to make said investigation and report at the earliest possible moment.

Which, under the rules, lies over one day.

On motion of Mr. Triplett,

Ordered, That said resolution be referred to the special joint committee heretofore appointed to investigate and report upon the disturbances at Greenwood mines.

Mr. McKee moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to withdraw all troops from Pulaski county.

Which, under the rules, lies over one day.

Mr. J. R. W. Smith moved to suspend the rules and take up said resolution for consideration.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. D. H. Smith,

Ordered, That said resolution be referred to the special joint committee heretofore appointed to investigate, and report upon the disturbances at Greenwood mines.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Dixon, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to regulate proceedings in the Henderson Circuit Court," approved May 4, 1884, and to extend the January term of said court.

By Mr. Hill, from the same committee—

A bill to incorporate the People's Gas-light Company, of Frankfort.

Said bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Alford, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to authorize the County Court of Fayette county to subscribe stock in turnpike roads," approved April 1, 1882.

By Mr. Hill, from the same committee—

An act to incorporate the town of De Koven, in Union county.

By Mr. Alford, from the same committee—

An act to fix and change the time for holding the regular terms of the Bath Court of Common Pleas.

With an amendment to the last-named bill as a substitute therefor.

Which was adopted.

Ordered, That said bills, the last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a resolution heretofore proposed by Mr. Wilson, which reads as follows, viz:

Resolved by the Senate, That it is thought to be inexpedient to pass laws at this session of the following character, viz:

To make counties support their pauper idiots.

To make them pay the cost of criminal prosecutions.

To make them pay for record books.

To make them pay for the transportation of prisoners from one jail to another.

Mr. Martin moved to amend said resolution by striking out the words "criminal prosecutions" wherever they occur therein.

Mr. Alford moved to lay said resolution and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Wilson and Byers, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	D. H. Smith,
M. C. Alford,	S. E. Hill,	J. R. W. Smith—8.
C. M. Clay, Jr.,	L. M. Martin,	

Those who voted in the negative, were—

A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
F. M. Clement,	L. W. McKee,	R. S. Triplett,
W. M. Cravens,	W. F. Neat,	Robert Walker,
T. S. Grundy,	J. N. Price,	F. T. D. Wallace—14.
R. G. Hays,	F. D. Rigney,	

By unanimous consent Mr. Martin withdrew the amendment proposed by him to said resolution.

Mr. Cravens moved to amend said resolution by striking out the words "criminal prosecutions" wherever they occur therein.

Mr. Clay moved to postpone the further consideration of said resolution and proposed amendment until Monday, March 15th, at 11 o'clock A. M.

Mr. Martin moved to postpone the consideration of said resolution and proposed amendment indefinitely.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said resolution fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Wilson and Kendall, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	S. E. Hill,
M. C. Alford,	J. D. Harris,	L. M. Martin,
C. M. Clay, Jr.,	R. G. Hays,	D. H. Smith—9.

Those who voted in the negative, were—

A. R. Byers,	W. F. Neat,	R. S. Triplett,
F. M. Clement,	J. R. W. Smith,	Robert Walker,
T. S. Grundy,	W. H. Taulbee,	J. H. Wilson—10.
H. T. Kendall,		

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions

which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Farmers' Fire Insurance Company of America;

An act for the benefit of Hardin county, and to dispose of a surplus fund in the hands of the Commissioners of the Sinking Fund of said county;

An act for the benefit of N. M. Williams, of Marshall county;

An act to amend sections 2 and 3, of article 5, of the charter of the city of Stanford, in Lincoln county, in regard to the jurisdiction of the Judge of the Stanford City Court;

An act to incorporate and establish the Deposit Bank of Monticello, in Wayne county;

An act to authorize the Boyle County Court to levy and collect an ad valorem tax to pay the ordinary expenses of Boyle county;

An act to incorporate the Lexington Industrial School, of Lexington, Ky;

Resolution calling upon the Commissioners and Warden of the Penitentiary for a report concerning clothing for ex-convicts;

A joint resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a bill preventing the retirement of Captain James E. Jouett, of the United States Navy.

And enrolled bills which originated in the Senate of the following titles, viz:

An act to repeal chapter 1104, of Session Acts, 1883-84, entitled "An act to regulate the sale of liquors in Morgan county;"

An act to incorporate the Hickman Bank;

An act to authorize the consolidation of the Centreville and Jacksonville and the Broadwell and Silas Creek Turnpike Companies;

An act to repeal an act to authorize the Court of Claims of Bourbon county to appoint a Turnpike Commissioner, approved March 19, 1878;

An act to repeal chapter 968, of Session Acts, 1883-84;

An act to provide for vacating the charter of the Brooksville and Claysville Turnpike Company, as to part of its road;

An act to authorize the Courts of Claims of Harrison and Robertson counties to provide for repairing and maintaining a part of the Brooksville and Claysville Turnpike;

An act to authorize the sale of the Cynthiana and Indian Creek Turnpike Road;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a resolution, entitled

Resolution providing for new flag for State-house.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 8, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

A. M. J. Cochran, Mason county.
R. C. Nevins, Mercer county.
H. C. Theissen, Kenton county.
Charles A. Tinley, Kenton county.
John M. Wilson, Mercer county.
John G. Metcalfe, Kenton county.
W. P. McLaughlin, Kenton county.
John W. Throckmorton, Harrison county.
B. L. Davis, Johnson county.

H. R. Littell, Christian county.
James B. Camp, Jefferson county.
Andrew A. Schneiderhahn, Jefferson county.
B. F. Buckner, Jefferson county.
A. Y. Culton, Knox county.
F. Y. Eskine, Jefferson county.
G. D. Jackson, Laurel county.
R. O. Brashears, Letcher county.
John E. Sparks, Elliott county.
Junius C. Klein, Jefferson county.
James S. Bryant, Jefferson county.
C. M. McGlothan, Breckinridge county.
W. G. Duncan, Ohio county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Wilson—

1. A bill for the benefit of H. J. Jones, of Laurel county, authorizing him to solemnize the rites of matrimony.

On motion of same—

2. A bill to amend section 332, of the Civil Code of Practice.

On motion of Mr. J. R. W. Smith—

3. A bill to incorporate the Kentucky Loan and Guarantee Company.

On motion of same—

4. A bill to amend the charter of the Kentucky and Indiana Bridge Company.

On motion of Mr. D. H. Smith—

5. A bill to amend the charter of the town of Hodgenville, in Larue county.

On motion of same—

6. A bill providing for the building of a bridge across the Rolling Fork of Salt river, near Beall's ford.

On motion of same—

7. A bill to amend an act providing for rebuilding the State bridge at Rio, on Green river, in Hart county.

On motion of same—

8. A bill for the benefit of G. W. Hunter, of Nelson county.

On motion of Mr. Frederick—

9. A bill in relation to the conditional repeal of the charter of the existing Louisville Gas Company, approved April 30, 1884.

On motion of Mr. Harris—

10. A bill for the benefit of Amelia W. Riddle, of Madison county.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 3d and 5th; the Committee on Codes of Practice the 2d; the Committee on Railroads the 4th; the Committee on Internal Improvements the 6th and 7th; the Committee on Claims the 8th; the Committee on Courts of Justice the 9th, and the Committee on the Judiciary the 10th.

On motion of Mr. Walker, the Senate then adjourned.

TUESDAY, MARCH 9, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives announcing that they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to fix the time for holding the regular terms of the Bath Court of Common Pleas.

That they had passed bills which originated in the Senate of the following titles, viz:

An act to amend the charter of the city of Covington.

An act to amend an act, entitled "An act to incorporate the Board of Church Extension of the Methodist Episcopal Church, South," approved February 20, 1884.

An act to incorporate the Chamber of Commerce, of Lexington, Kentucky.

An act to amend an act, entitled "An act to incorporate the Washington County Railroad District, and define the powers, duties and privileges of the same, approved March 12, 1884."

An act to establish an additional voting place in the Fairview magisterial district, in Todd county.

An act to charter the Frankfort Water Company, and to ratify and confirm the water-works ordinance of the board of the city of Frankfort and its contract thereunder with the Frankfort Water Company, of the city of Frankfort.

An act to regulate the management of turnpike roads in Robertson and Nicholas counties.

With amendments to the two last-named bills.

The amendment to the last-named bill was taken up and concurred in.

That they had passed bills of the following titles, viz:

1. An act prohibiting the sale, giving or loaning of spirituous, vinous or malt liquors, or any mixture of either, within the corporate limits of Smith Grove, or within one mile thereof.

2. An act to incorporate the Lexington, Nicholasville and Whitesburg Railroad Company.

3. An act for the benefit of common school district No. 1, white, in Fleming county.

4. An act to incorporate the Blue-grass Hedge Company.

5. An act to establish the county of Carlisle.

6. An act to establish a Police Court in the town of Crofton, Christian county, and repeal section (6) six of the charter of said town.

7. An act for the benefit of common school district No. 50, in Union county.

8. An act to change the time of holding the County Court in Logan county.

9. An act to amend an act, entitled "An act for the benefit of common school district No. 25, in Oldham county," approved April 25, 1882.

10. An act to amend an act, entitled "An act to incorporate the Kentucky and Louisville Mutual Insurance Company."

11. An act to exclude Muhlenberg county from the provisions of an act, entitled "An act for the protection and propagation

of food-fishes in this Commonwealth," approved March 20, 1876.

12. An act to repeal an act, entitled "An act relative to the Henry, Oldham and Jefferson Turnpike Road Company," approved February 20, 1878, and the amendment thereto, approved May 5, 1880.

13. An act to amend an act, entitled "An act to incorporate the Russellville Banking and Warehouse Company."

14. An act for the benefit of the Trustees of Funk Seminary, Lagrange, Oldham county.

15. An act for the benefit of Joel H. Wells, of Calloway county.

16. An act to enlarge the boundaries of the town of Crofton, in Christian county, and to repeal section two (2) of the charter of said town.

17. An act to amend an act, entitled "An act to incorporate the town of Kirkmansville, in Todd county," passed April 7, 1882.

18. An act to incorporate and establish a public school for colored people in the town of Elkton, and within a radius of three miles of the court-house in said town.

19. An act to amend and reduce into one the several acts in relation to roads and bridges in Union county.

20. An act to recharter the town of Wingo, in Graves county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Religion and Morals; the 2d to the Committee on Railroad; the 3d, 7th, 9th, 14th and 18th to the Committee on Education; the 4th, 12th and 19th to the Committee on Agriculture and Manufactures; the 5th to the Committee on Propositions and Grievances; the 6th and 8th to the Committee on Courts of Justice; the 10th and 13th to the Committee on Banks and Insurance; the 11th to the Committee on Fish Culture, and the 15th, 16th and 17th to the Committee on the Judiciary.

And the 20th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, requesting the withdrawal from the Senate of the announcement of the adoption by the House of Representatives of a resolution which originated in that body, entitled

Resolution fixing a day for the adjournment of the General Assembly.

And the question being taken on granting said request it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taulbee and Clay, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	H. T. Kendall,	D. H. Smith,
A. S. Berry,	J. H. McDanell,	J. R. W. Smith,
A. R. Byers,	J. W. Ogilvie,	W. H. Taulbee,
W. M. Cravens,	J. N. Price,	R. S. Triplett,
R. G. Hays,	F. D. Rigney,	J. H. Wilson—15.

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	L. W. McKee,
C. M. Clay, Jr.,	S. E. Hill,	W. F. Neat,
F. M. Clement,	L. M. Martin,	J. T. Simon—10.
W. H. Frederick,		

Said resolution was thereupon delivered to the messenger.

Mr. Price, from the Committee on Claims, to whom was referred a resolution from the House of Representatives, entitled

Resolution authorizing the appropriation of $50 to Robert Loomis, for services at the Back Capitol,

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Neat, from the Committee on Agriculture and Manufactures, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, approved April 19, 1884, entitled "An act to amend the charter of the Beaver Creek and Cumberland River Coal Company, organized under chapter 56, of General Statutes," approved February 24, 1882,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon,

Ordered, That said bill be placed in the orders of the day.

Mr. Price, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of T. S. Wilson, of Knox county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, An act was passed by the last General Assembly appropriating the sum of $89.75 to T. S. Wilson, of Knox county, for expenses incurred by him and guard in going to Green county, Tennessee, under a requisition from the Governor, to apprehend one Joseph Squibb, then indicted in the Knox Circuit Court for murder, said act having been filed in the office of Secretary of State, May 12, 1884, without the Governor's approval, the General Assembly having adjourned on that day; and whereas, it appearing that said Squibb escaped from said Wilson and guard by fault of the Town Marshal of Greenville, Tennessee; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and he is hereby, directed to draw his warrant on the Treasurer in favor of T. S. Wilson for $89.75, to be paid out of any money in the Treasury not otherwise appropriated in payment of the expenses incurred as aforesaid.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Simon and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	R. G. Hays,	J. W. Ogilvie,
F. M. Clement,	S. E. Hill,	J. N. Price,
W. M. Cravens,	H. T. Kendall,	F. D. Rigney,
Henry Dixon,	L. M. Martin,	J. R. W. Smith,
W. H. Frederick,	J. H. McDanell,	W. H. Taulbee,
T. S. Grundy,	W. F. Neat,	J. H. Wilson—18.

Those who voted in the negative, were—

R. T. Albritton,	J. T. Simon,	R. S. Triplett—4.
G. G. Gilbert,		

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. Wilson, Mr. Berry was added to the Committee on Public Expenditures.

The Senate, according to order, took up for consideration a bill, entitled

A bill to require all companies operating railroads in this Commonwealth to provide and maintain sufficient warerooms and other buildings at all railroad stations, and fixing the liability of such companies.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of all companies operating railroads in this Commonwealth to have or provide and maintain good and sufficient warerooms, depositories or such other buildings at each railroad station in this Commonwealth, as may be necessary for the safe-keeping and preservation of all goods and freights received or delivered at said stations, and it shall be the duty of said companies to provide and maintain such warerooms or depositories at every station at which freight is now received or delivered.

§ 2. Any company or companies failing to provide such place or places for the safe-keeping and preservation of all goods and freights shall be liable to the owner for all damages which may be done to said goods while at said stations.

§ 3. This act shall take effect from and after its passage.

Mr. J. R. W. Smith moved to amend said bill as follows, viz:

This act shall only apply to such railroad stations in this State as trains stop daily for the receipt or delivery of freight.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and McKee, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	T. S. Grundy,	J. N. Price,
M. C. Alford,	R. G. Hays,	F. D. Rigney,
A. R. Byers,	S. E. Hill,	J. T. Simon,
C. M. Clay, Jr.,	H. T. Kendall,	D. H. Smith,
Henry Dixon,	L. M. Martin,	J. R. W. Smith,
John Feland,	J. H. McDanell,	W. H. Taulbee,
W. H. Frederick,	W. F. Neat,	R. S. Triplett,
G. G. Gilbert,	J. W. Ogilvie,	J. H. Wilson—24.

Those who voted in the negative, were—

A. S. Berry,	J. W. Bryan,	L. W. McKee—3.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill to amend chapter 29, General Statutes.

On motion of Mr. Hill,

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. J. R. W. Smith withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act, entitled "An act to amend article 6, chapter 62, of the General Statutes."

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Grundy, from the Committee on Agriculture and Manufactures—

An act to repeal an act, entitled "An act to provide for the

working of the public roads in the counties of Pulaski, Rockcastle and Laurel," approved May 9, 1884.

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act declaring Salt Lick creek, in Floyd and Knott counties, a navigable stream.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to repeal section 4, of an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors in any quantity less than ten gallons in precinct No. 8, in Bourbon county," approved April 4, 1884.

By same—

An act to regulate the selling, lending, procuring for, or giving of spirituous, vinous or malt liquors, or any intoxicating drink, in the county of Carter.

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors within five miles of the North Rolling Fork Baptist Church, on the Rolling Fork, in Boyle county.

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors within four miles of Mount Union Church, General Baptists, in Allen county.

By Mr. McDanell, from same committee—

An act to prevent the sale of spirituous, vinous and malt liquors in Rocky Hill Station, Edmonson county, and within one mile of the corporate limits of said town.

By same—

An act to prohibit and regulate the sale of spirituous, vinous and malt liquors in common school district No. 68, in Muhlenberg county, and in the town of Rosewood, of which district said town is a part.

By same—

An act to incorporate Father Mathew's Total Abstinence Society, of Mayslick, Mason county.

By Mr. Neat, from the Committee on Agriculture and Manufactures—

An act to incorporate the Anderson City and Fox Creek Turnpike Road Company.

By same—

An act to incorporate the Camdensville and Johnsonville Turnpike Company.

By Mr. Grundy, from the same committee—

An act to extend the Case Crowder and Etherington Turnpike Road from its present terminus at the end of the Tattletown pike to the Washington county line, at or near Goodlet's schoolhouse.

With amendments to the three last-named bills.

Which were adopted.

Ordered, That said bills, the three last as amended, be severally read a third time:

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to amend an act, entitled "An act to incorporate the North Middletown Deposit Bank," approved March 15, 1869.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to authorize and empower the city of Hopkinsville to provide the means for, and to aid in the construction of, the Hopkinsville and Cadiz Railroad, and of any of the branches thereof.

By Mr. Gilbert, from the Committee on Public Printing—

A bill to amend an act, entitled "An act regulating the advertising of real estate under execution sales for State and county taxes, sales under decrees and judgments, and regulating the compensation therefor," approved March 10, 1880.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hays presented the memorial of sundry citizens of Louisville in regard to the abolition of the Geological and Immigration Bureau.

Which was received, the reading dispensed with, and referred to the Committee on Public Expenditures.

Mr. Price, from the Committee on Claims, to whom was referred a resolution which originated in the Senate, entitled

Resolution to pay J. Edward Gailbreath $100 dollars as Special Bailiff of Jefferson Circuit Court,

Together with the message of the Governor vetoing the same,

Reported said resolution with the expression of opinion that the Governor should be sustained in his veto of said resolution.

[*For resolution, see Senate Journal, January 22d.*]

[*For Governor's veto, see Senate Journal, March 2d.*]

The question was then taken, "Shall the resolution be adopted, the objection of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The Senate took up for consideration the resolution heretofore proposed by Mr. Berry, which reads as follows, viz:

Resolved, That our United States Senators be respectfully requested to use all honorable means to secure aid from the National Government for the promotion of education in the States and Territories.

By unanimous consent, Mr. Berry was granted leave to withdraw said resolution from the further consideration of the Senate.

The Senate took up for consideration a bill, entitled

A bill to repeal an act, entitled "An act to regulate tolls on the Bardstown and Green River Turnpike Road."

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to regulate tolls on the Bardstown and Green River Turnpike Company," approved the first day of March, 1886, be, and the same is hereby, repealed.

§ 2. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, L. M. Martin, R. S. Triplett,
J. W. Bryan, F. D. Rigney, J. H. Wilson—8.
C. M. Clay, Jr., D. H. Smith,

Those who voted in the negative, were—

R. T. Albritton, G. G. Gilbert, W. F. Neat,
A. S. Berry, T. S. Grundy, J. W. Ogilvie,
F. M. Clement, R. G. Hays, J. N. Price,
W. M. Cravens, S. E. Hill, J. T. Simon,
Henry Dixon, H. T. Kendall, J. R. W. Smith,
John Feland, J. H. McDanell, W. H. Taulbee—19.
W. H. Frederick,

So said bill was rejected.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the creditors of the Clark and Bourbon Turnpike Road Company;

An act to incorporate the East End Banking Company, of Louisville;

An act to fix and change the time for holding the regular terms of the Bath Court of Common Pleas;

An act to empower the Grant County Court to repair and operate all that portion of the Covington and Lexington Turnpike Road which lies in Grant county;

An act to regulate transfer and change of venue in felony cases, which are now pending in the counties of Floyd, Breathitt and Letcher;

And an enrolled bill which originated in the Senate, of the following title, viz:

An act to incorporate the Cowan Station and Licking Valley Turnpike Road, and to allow the county of Fleming to take stock in same;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate took up for consideration a bill, entitled

A bill to amend section 3, article 2, chapter 61, General Statutes.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of section 3, article 2, chapter 61, of General Statutes, be amended by striking out the words, "and paid out of the Treasury of the Commonwealth, unless there was no jail in the county or it was rendered insecure by reason of the failure of the county consent to keep it in the requisite condition, then it shall be paid out of the county levy of the county, and the court in making the allowance shall state in the order out of which fund it shall be paid," and inserting in lieu thereof, "and paid by the county out of the county levy."

§ 2. All acts in conflict with this are hereby repealed.

§ 3. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	F. M. Clement,	T. S. Grundy,
M. C. Alford,	Henry Dixon,	S. E. Hill,
J. W. Bryan,	W. H. Frederick,	J. T. Simon,
C. M. Clay, Jr.,	G. G. Gilbert,	D. H. Smith—12.

Those who voted in the negative, were—

A. S. Berry,	H. T. Kendall,	F. D. Rigney,
A. R. Byers,	L. M. Martin,	J. R. W. Smith,
W. M. Cravens,	J. H. McDanell,	W. H. Taulbee,
John Feland,	W. F. Neat,	R. S. Triplett,
R. G. Hays,	J. W. Ogilvie,	J. H. Wilson—15.

So said bill was rejected.

The Senate, took up for consideration a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1876.

The question being on concurring in the amendment adopted by the House of Representatives to the amendment adopted by the Senate to said bill.

On motion of Mr. Bryan,

Ordered, That said bill and proposed amendment be referred to the Committee on Fish Culture, with directions to report on to-morrow morning.

Mr. Taulbee moved that the rules be suspended, and that he be permitted to enter a motion to reconsider the vote by which the Senate had disagreed to a bill which originated in the House of Representatives, entitled

An act for the benefit of Turner Hughes, of Lee county.

And the question being taken thereon, it was decided in the negative.

The Senate took up for consideration a bill, entitled

A bill to amend chapter 66, of the General Statutes, entitled "Landlord and Tenant."

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a monthly tenancy, when the tenant is in default from non-payment of rent, may be terminated by the landlord, first giving the tenant five (5) days' notice, in writing, at any time during the current month, to leave the premises.

§ 2. In case the tenant fail to vacate the premises as in the notice required, the landlord may obtain from any Justice of the Peace of the county a writ of forcible detainer.

§ 3. The writ shall be served on the defendant at least three (3) days before the time of trial fixed by the Justice. On the calling of the case for trial if the defendant do not appear, judgment shall be thereupon rendered for the plaintiff.

§ 4. In case the defendant desire a continuance of the trial of the case at any time for a longer period than five (5) days, he shall cause to be executed before a Justice a bond with good surety to be approved by him, conditioned for the payment of the rent that may accrue thereafter if judgment be rendered against the defendant.

§ 5. But one change of venue shall be allowed to each party, and when the venue is changed the Justice shall immediately call some other Justice, who shall proceed to trial without any delay.

§ 6. The Justice shall try the issue in the case unless either party demand a jury, the cost of which jury shall be taxed as costs and paid by the unsuccessful party.

§ 7. On the trial of the issue, whether the same be by the Justice or a jury, the Justice shall enter a judgment which may, within three (3) days thereafter, be traversed by the unsuccessful party as now provided by law. If no traverse is filed within three (3) days and the judgment be for the plaintiff, the Justice shall issue a writ of possession for the premises, which writ shall be made returnable not more than ten (10) days thereafter.

§ 8. Nothing herein however shall prevent parties from making any contract of renting they see proper.

§ 9. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a joint resolution, entitled

Joint resolution creating committee to investigate the condition of asylums in this Commonwealth.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee, consisting of two Senators to be named by the Speaker of the Senate, and three Representatives to be named by the Speaker of the House of Representatives, be appointed to visit and investigate the condition of the various asylums of this State, and said committee is directed to make a full report, in writing, of their investigation to this General Assembly.

Mr. Martin moved to postpone the further consideration of said resolution indefinitely.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	S. E. Hill,
M. C. Alford,	W. H. Frederick,	L. M. Martin,
C. M. Clay, Jr.,	G. G. Gilbert,	J. N. Price,
F. M. Clement,	T. S. Grundy,	F. D. Rigney—14.
W. M. Cravens,	R. G. Hays,	

Those who voted in the negative, were—

A. R. Byers,	J. T. Simon,	R. S. Triplett,
H. T. Kendall,	D. H. Smith,	J. H. Wilson—8.
W. F. Neat,	J. R. W. Smith,	

So said resolution was rejected.

The Senate took up for consideration a resolution heretofore proposed by Mr. Rigney, which reads as follows, viz:

Resolved, That in addition to the regular meetings of the Senate there shall be a session held in the evening from and after Monday, twenty-second of February, 1886, beginning at 3 o'clock and ending at 5 o'clock.

Mr. Gilbert moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Taulbee—

1. A bill for the benefit of William M. Combs, of Perry county.

On motion of Mr. Martin—

2. A bill to incorporate the Cynthiana Library.

On motion of same—

3. A bill to amend an act, entitled "An act regulating the advertising of real estate under execution, sales for State and county taxes, sales under decrees and judgments, and regulating the compensation therefor," approved March 15, 1880.

On motion of Mr. Kendall—

4. A bill fixing the salaries of *pro tem.* Circuit, Criminal and Common Pleas Judges and Commonwealth's Attorneys of the Commonwealth of Kentucky, and the manner of payment thereof.

On motion of Mr. Clay—

5. A bill to amend the charter of North Middletown Deposit Bank.

On motion of Mr. Bryan—

6. A bill to amend the charter of the city of Covington.

On motion of Mr. Frederick—

7. A bill to amend the charter of the Fountain Ferry Road, in Jefferson county, passed in 1881 and 1882.

On motion of Mr. Berry—

8. A bill for the benefit of E. H. Taylor, former Warden of the Kentucky Penitentiary.

On motion of Mr. Gilbert—

9. A bill to amend the charter of the Shelby Railroad Company.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on the Judiciary the 2d, 4th and 6th; the Committee on Printing the 3d; the Committee on Agriculture and Manufactures the 7th; the Committee on Claims the 8th, and the Committee on Railroads the 9th.

On motion of Mr. Simon, the Senate then adjourned.

WEDNESDAY, MARCH 10, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:

An act to authorize the Butler County Court of Claims to levy an ad valorem tax for county purposes.

An act to incorporate the Homestead Building Association.

An act for the benefit of Taylor county.

An act to amend an act, entitled "An act to apportion the State into eleven Congressional Districts," approved April 15, 1882.

An act for the benefit of John W. Caseldine, Sheriff of Henry county.

An act to amend an act to establish Knott county, approved May 5, 1884.

An act to amend the charter of the town of Harrodsburg, in Mercer county.

An act authorizing the Lewis County Court to build a bridge across Kinniconick creek.

An act to amend the charter of the town of Water Valley, Graves county.

An act to regulate the sale of spirituous, vinous and malt liquors within one mile of Park post-office, in Barren county.

An act to amend the charter of the town of Cornishville, in Mercer county.

An act giving further time, until the first Monday in May, 1886, for the Sheriff of Letcher county to execute his revenue bond and the bond for the county levy in said county.

An act to permit Garrard county to issue certain bonds.

An act to amend an act incorporating the Louisville Courier-Journal Company.

An act to provide for removing obstructions in the water-courses of Calloway county.

An act to incorporate the Journeymen House Painters' Association, of Louisville.

An act to amend an act, entitled "An act to incorporate the Mackville and Perryville Turnpike Road Company."

An act giving the Constable of the Lebanon district, in Marion county, the power to appoint a deputy.

An act to enable the County Court of Bracken county to borrow money to pay off the balance of the indebtedness of said county, occasioned by the erection of the new poor-house building, and to purchase necessary furniture for said new building.

An act to amend the Boone county road law, chapter 220, Acts 1883–84.

An act to authorize and empower the city of Bowling Green to erect and maintain a system of electric lights in said city, and to issue bonds for said purpose.

An act for the benefit of the Stony Point and Seamand's Mill Turnpike Road Company, in Bourbon county.

An act to amend section 1, article 1, chapter 55, of the General Statutes.

An act for the benefit of Charles A. Doris, of Webster county.

An act to fix the time of holding the Madison County Court of Levy and Claims.

An act to amend an act, entitled "An act to charter the Cairo and Tennessee River Railroad," approved March 10, 1873.

An act to authorize the County Levy Court of Bath county to levy an ad valorem tax for county purposes.

An act to authorize the County Court of Fulton county to levy an ad valorem tax.

An act to amend an act, entitled "An act to incorporate the Versailles and Midway Railway Company," approved April 15, 1884.

An act to amend an act to incorporate the Bowling Green and Hadley Turnpike Company, approved February 21, 1878.

An act for the benefit of the Carlisle and Park's Ferry Turnpike Road Company, in Nicholas county.

An act giving the further time of two years to the Sheriffs, ex-Sheriffs, Constables and Tax Collectors of this State to collect their uncollected taxes and fee bills.

An act to amend an act to incorporate the Stringtown and Beech Fork Turnpike Road Company.

An act to regulate the powers and duties of County Road Surveyors, in Marion county.

An act to empower the County Court of Bath county to make subscriptions to the capital stock of turnpike road companies.

An act to amend the charter of the Maysville Training and Breeding Association.

An act to amend sections 2 and 3, of article 5, of the charter of the city of Stanford, in Lincoln county, in regard to the jurisdiction of the Judge of the Stanford City Court.

An act to incorporate the Lexington Industrial School, of Lexington, Ky.

An act to authorize the Boyle County Court to levy and collect an ad valorem tax to pay the ordinary expenses of Boyle county.

Resolution calling upon the Commissioners and Warden of the Penitentiary for a report concerning clothing for ex-convicts.

A joint resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a bill preventing the retirement of Captain James E. Jouett, of the United States Navy.

That they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to establish a road law for Boyd county.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the North Middletown Deposit Bank," approved March 15, 1869.

An act to incorporate the Deposit Bank of Sulphur.

An act for the benefit of the Bourbon County Agricultural and Mechanical Society.

An act to amend an act, approved the seventeenth of April, 1882, entitled "An act to authorize the construction and maintenance of a court-house in Newport, in Campbell county, and to increase the powers and duties of the Commissioners of the said district."

An act to incorporate the Henderson Trust Company.

An act to authorize the Owen County Court to issue bonds and levy a tax for turnpike purposes.

An act to amend an act, entitled "An act to incorporate the Farmers' Deposit Bank, of Cynthiana," approved March 26, 1884.

An act to incorporate the Citizens' Bank.

With an amendment to the last-named bill.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Ghent Deposit Bank.

2. An act to amend an act, entitled "An act to authorize the County Court of Warren county to subscribe stock to turnpike roads in said county."

3. An act to amend an act, entitled "An act to incorporate the town of East Bernstadt, in Laurel county."

4. An act to incorporate the People's Loan and Trust Company, of Russellville.

5. An act to incorporate the Hopkins County Fair Company.

6. An act for the benefit of Lewis Prichard and John Patterson, of Carter county.

7. An act to establish a Treasurer for Harlan county.

8. An act to repeal an act authorizing the Pike County Court of Claims to allow the Sheriff of Pike county not to exceed $100 for waiting on the courts of said county, approved April 27, 1880.

9. An act to prevent stock from running at large in Marshall county.

10. An act to amend an act, entitled "An act to amend the charter of Jamestown, in Russell county."

11. An act to authorize the Ballard County Court to sell delinquent tax lists by its clerk, and prescribing his duties in relation thereto.

12. An act to provide for appointing and electing Commissioners for the county of Pendleton, and defining their duties and the duties of other county officers, and to provide for taking the sense of the qualified voters of said county on the approval of same.

13. An act for the benefit of the Cabin Creek, Sand Hill and Manchester Branch Road Pike Company, of Lewis county.

14. An act providing for the summoning and pay of jurors in the Bourbon Quarterly Court.

15. An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Midway," approved February 29, 1884.

16. An act to divide Hancock precinct, in Crittenden county, into two voting precincts.

17. An act to repeal an act, entitled "An act to incorporate the town of Airdrie."

18. An act fixing the fees of Justices of the Peace of Carter county for attending on the County Courts of said county.

19. An act to amend the charter of the city of Augusta, in Bracken county.

20. An act to incorporate the Frankfort, Belle Point and Leestown Street Railway Company.

21. An act to amend an act, entitled "An act to incorporate the Ohio Valley Railroad and Mining Company," approved April 20, 1882.

22. An act to incorporate the Owensboro Trust Company, of Owensboro.

23. An act relating to taxes in the county of Daviess where lands have been or may hereafter be sold therefor and bought by it, authorizing it to re-sell such lands and when it may purchase the same, to empower it to recover, hold and dispose of the same, and authorizing the appointment of a collector of such taxes.

24. An act to amend the charter of the South Kentucky Railroad Company.

25. An act to repeal an act, entitled "An act to incorporate the town of Woodstock, in Pulaski county," approved April 22, 1884.

26. An act to amend the charter of the town of Bremen, in Muhlenberg county.

27. An act for the benefit of E. S. Vance, of Simpson county.

28. An act to amend an act, entitled "An act to incorporate the Poplar Flat, Indian Run and Salt Lick Turnpike Road Company, in Lewis county."

29. An act to amend an act, entitled "An act to charter the town of Rowletts, in Hart county," approved April 6, 1882.

30. An act to reduce into one all the acts in relation to the town of Greenville, in Muhlenberg county.

31. An act to incorporate the Bank of Calhoun.

32. An act to incorporate the Security, Trust and Safety Vault Company, of Lexington.

33. An act to amend an act, entitled "An act to incorporate the town of Mount Pleasant, in Harlan county," approved April 15, 1884.

34. An act to repeal an act, entitled "An act to amend the charter and amendments thereto, of the Deposit Bank, of Glasgow," approved January 29, 1874, and to repeal an act, entitled "An act to amend the several acts incorporating the Deposit Bank, of Glasgow," approved January 31, 1882.

35. An act to regulate the allowance of county claims in the counties of Pike, Martin, Letcher and Knott.

36. An act to incorporate the Fireman's Benevolent Association, of Louisville.

37. An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county."

38. An act to define and fix the jurisdiction of the Henry County Quarterly Court.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 4th, 22d, 31st, 32d and 34th to the Committee on Banks and Insurance; the 2d, 13th, 28th and 37th to the Committee on Internal Improvements; the 3d, 7th, 11th, 25th, 29th, 33d and 35th to the Committee on General Statutes; the 5th and 9th to the Committee on Agriculture and Manufactures; the 6th to the Committee on Propositions and Grievances; the 8th, 14th, 17th, 18th, 26th and 30th to the Committee on Courts of Justice; the 10th to the Committee on Religion and Morals; the 12th and 19th to the Committee on Executive Affairs; the 15th to the Committee on Immigration and Labor; the 16th to the Committee on Privileges and Elections; the 20th, 21st and 24th to the Committee on Railroads; the 23d and 36th to the Committee on Finance; the 27th to the Committee on Education, and the 38th to the Committee on Codes of Practice.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Finance—

A bill to amend the charter of the city of Louisville.

By Mr. Cravens, from the Committee on Courts of Justice—

A bill to authorize the County Court of Daviess county to make levies for pauper purposes.

By same—

A bill to validate and legalize certain levies imposed for pauper purposes by the County Court of Daviess county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to provide for holding two additional terms of the Christian Circuit Court.

An act for the benefit of P. A. Cline.

An act to extend the Court of Common Pleas in the First Judicial District to include the county of Livingston, for the trial of common law and equity cases, and fixing the terms of the court.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Louisville, Harrodsburg and Virginia Railroad Company,'" approved March 9, 1868, and to change the name of said company to that of the Louisville Southern Railroad Company.

An act to amend the charter of the Franklin Insurance Company, of Louisville.

An act for the benefit of J. E. Edwards, Assessor of Trigg county.

An act to repeal an act to authorize the Court of Claims of Bourbon county to appoint a Turnpike Commissioner, approved March 16, 1878.

An act to repeal chapter 1104, of Session Acts, 1883–84, entitled "An act to regulate the sale of liquors in Morgan county."

An act to authorize the sale of the Cynthiana and Indian Creek Turnpike Road.

An act to authorize the Courts of Claims of Harrison and Robertson counties to provide for repairing and maintaining a part of the Brooksville and Claysville Turnpike.

An act to authorize the consolidation of the Centreville and Jacksonville and the Broadwell and Silas Creek Turnpike Companies.

An act to provide for vacating the charter of the Brooksville and Claysville Turnpike Company, as to part of its road.

An act to repeal chapter 968, of Session Acts, 1883-84.

Mr. Feland moved the following resolution, viz:

WHEREAS, The Penitentiary system of Kentucky for more than half a century has proven a failure, in that—1. It has never been a source of revenue to the Commonwealth. 2. It has never worked any reformation in the convicts, and 3. It has not proved a terror to evil-doers, and thus prevented the commission of crime; and whereas, the various means lately adopted to relieve the Penitentiary have not proved successful, chiefly because on the one hand a stream of sentimental gush has so permeated the souls of many good people as to convince them that the prison should be converted into a Sunday school, and placed under the control of the Young Men's Christian Association and the Christian Woman's Temperance Union; and on the other the unselfish heart of the politician has gone out so far to the laboring man as to demand that the convict be supported in idleness by the State; and whereas, the history of the Penitentiary shows that whipping or strapping of convicts has been almost universally adopted as a punishment under the walls of the prison; therefore, be it

Resolved, That in order to meet the many difficulties of the present situation, to relieve the Penitentiary and prevent the expenditure of large sums of money in future to supply convicts in idleness and to prevent the commission of crime, it is the opinion of this Senate that the criminal laws of this Commonwealth should be revised, and the punishment for all the lower grades of infamous crimes fixed at not exceeding thirty-nine stripes on the bare back, leaving no discretion on the part of the jury except to fix the number of stripes, and to that end the Speaker of the Senate is directed to appoint a special committee of three members of the Senate to prepare and report such a bill to the Senate as soon as practicable.

Mr. Cravens moved to strike the preamble out of said resolution.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

W. M. Cravens,	S. E. Hill,	J. N. Price,
G. G. Gilbert,	H. T. Kendall,	F. D. Rigney,
T. S. Grundy,	J. H. McDanell,	R. S. Triplett—11.
R. G. Hays,	J. W. Ogilvie,	

Those who voted in the negative, were—

R. T. Albritton,	Henry Dixon,	W. F. Neat,
M. C. Alford,	John Feland,	J. T. Simon,
A. S. Berry,	W. H. Frederick,	J. R. W. Smith,
J. W. Bryan,	J. D. Harris,	E. R. Sparks,
A. R. Byers,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	L. W. McKee,	J. H. Wilson—19.
F. M. Clement,		

Mr. J. R. W. Smith moved that the further consideration of said resolution be postponed, and that said resolution be made the special order of the day for Wednesday, March 17th, at 11 o'clock A. M.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers,	H. T. Kendall,	F. D. Rigney,
C. M. Clay, Jr.,	W. F. Neat,	J. R. W. Smith—8.
J. D. Harris,	J. N. Price,	

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	J. W. Ogilvie,
M. C. Alford,	G. G. Gilbert,	J. T. Simon,
J. W. Bryan,	T. S. Grundy,	E. R. Sparks,
F. M. Clement,	R. G. Hays,	W. H. Taulbee,
W. M. Cravens,	S. E. Hill,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	Robert Walker,
John Feland,	L. W. McKee,	J. H. Wilson—21.

Mr. Martin moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	J. D. Harris,	W. F. Neat,
M. C. Alford,	R. G. Hays,	J. N. Price,
A. S. Berry,	S. E. Hill,	F. D. Rigney,
W. J. Caudill,	H. T. Kendall,	J. R. W. Smith,
F. M. Clement,	L. M. Martin,	E. R. Sparks,
W. M. Cravens,	J. H. McDanell,	Robert Walker,
Henry Dixon,	L. W. McKee,	J. H. Wilson—21.

Those who voted in the negative, were—

J. W. Bryan,	G. G. Gilbert,	J. T. Simon,
A. R. Byers,	T. S. Grundy,	W. H. Taulbee,
John Feland,	J. W. Ogilvie,	R. S. Triplett—10.
W. H. Frederick,		

Mr. Price, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of Newton Craig, of Scott county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Dixon moved the following resolution, viz:

Resolved by the Senate of the Commonwealth of Kentucky, That the Governor be requested to state in writing his reason for not approving the report of the Commissioners in the claim of Newton Craig against the State.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	T. S. Grundy,	J. N. Price,
J. W. Bryan,	J. D. Harris,	F. D. Rigney,
A. R. Byers,	R. G. Hays,	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	J. R. W. Smith,
F. M. Clement,	L. M. Martin,	E. R. Sparks,
W. M. Cravens,	J. H. McDanell,	W. H. Taulbee,
Henry Dixon,	W. F. Neat,	F. T. D. Wallace,
John Feland,	J. W. Ogilvie,	J. H. Wilson—24.

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	R. S. Triplett—5.
M. C. Alford,	H. T. Kendall,	

On motion of Mr. Berry—

Ordered, That said bill be recommitted to the Committee on Claims with directions to report the same on to-morrow at 11 o'clock A. M.

The Senate took up for consideration a bill, entitled

An act to charter the Frankfort Water Company, and to ratify and confirm the water-works ordinance of the board of the city of Frankfort and its contract thereunder with the Frankfort Water Company, of the city of Frankfort.

The question was then taken on concurring in the adoption of the amendment adopted by the House of Representatives to said bill, and it was decided in the affirmative.

Mr. J. R. W. Smith withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, entitled

An act to establish the Nineteenth Circuit Court Judicial District, to be composed of the counties of Clay, Leslie, Perry, Breathitt, Knott and Letcher.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Estill Timberlake, relieving her of the disabilities of nonage,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to authorize the County Court of Fayette county to subscribe stock in turnpike roads," approved April 1, 1882;

An act to incorporate the Snead & Co. Iron Works;

And enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of Emily F. Dean, of Magoffin county;

An act to regulate the management of turnpike roads in Robertson and Nicholas counties;

An act to amend an act, entitled "An act to incorporate the Board of Church Extension of the Methodist Episcopal Church, South," approved February 20, 1884;

An act to establish an additional voting place in the Fairview magisterial district, in Todd county;

An act to incorporate the Chamber of Commerce, of Lexington, Kentucky;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Harris—

1. A bill providing, "That after the contract of the State with Mason-Foard Company has been complied with either by limitation or agreement, the convict labor of the State be withdrawn from competition with free labor in mines and other industries, and employed in the construction of a railroad through the State of Kentucky, thereby developing the iron, coal and lumber interest of the Commonwealth."

On motion of Mr. Rigney—

2. A bill to incorporate the Junction City, Rolling Fork and Bradfordsville Turnpike Road.

On motion of Mr. Grundy—

3. A bill to amend the common school law of the State of Kentucky.

On motion of Mr. Hays—

4. A bill to amend the charter of the New National Turnpike Company, composed of the Jefferson and Bullitt and National Turnpike consolidated.

On motion of same—

5. A bill to incorporate the Louisville Natural Gas and Heating Company.

On motion of Mr. Sparks—

6. A bill to incorporate the Jessamine Confederate Memorial Association.

Ordered, That the Committee on Penitentiary and House of Reform prepare and bring in the 1st; the Committee on Internal Improvements the 2d and 4th; the Committee on Education the 3d; the Committee on Courts of Justice the 5th, and the Committee on Agriculture and Manufactures the 6th.

Mr. Price moved the following resolution, viz:

WHEREAS, Divine Providence has removed from among us the Hon. W. V. Prather, a former member of the General Assembly and Clerk of this honorable body, who served us in that capacity faithfully and well for the period of eight years; and whereas, he was known to us as an honorable Christian gentleman, whose integrity and honor in private life were never brought in question, and in public life a dutiful and faithful officer; therefore, be it

Resolved, That out of respect for his honored memory, this body do now adjourn, and a copy of this preamble and resolution be spread upon the Journal and sent to his family.

Which resolution was twice read, and adopted.

And then the Senate adjourned.

THURSDAY, MARCH 11, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to extend the Case Crowder and Etherington Turnpike Road from its present terminus at the end of the Tattletown pike to the Washington county line, at or near Goodlett's schoolhouse.

An act to incorporate the Camdensville and Johnsonville Turnpike Company.

An act to incorporate the Anderson City and Fox Creek Turnpike Road Company.

That they had passed a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to establish a Superior Court and to regulate the same," approved April 22, 1882.

With an amendment thereto.

On motion of Mr. Triplett, leave of absence, indefinitely, was granted Mr. Byers.

Mr. McDanell, from the joint special committee appointed to examine and report on branch Penitentiary at Eddyville, submitted the following report, viz:

HON. J. R. HINDMAN, *Speaker of the Senate, Frankfort, Ky.:*

We, the undersigned, your committee appointed to visit and inspect the branch Penitentiary, at Eddyville, would respectfully report that we have, in compliance with your directions, in conjunction with a committee from the House of Representatives, visited Eddyville, and we confess our surprise at the magnitude of the enterprise and the progress of the work.

The prison is located about one-half mile east of the Chesapeake, Ohio and South-western Railroad, on the north bank of the Cumberland river on a beautiful knoll, the summit of which is one hundred and ninety feet above low water-mark, and the front one hundred and twenty-seven feet above; ten and one-half acres of land, surrounded by a substantial stone wall twenty-three feet high, constructed of stone ranging in size from three and one-half to seven feet long, from thirteen to twenty-eight inches thick, with base three feet and two feet at the top, with coping projection of eighteen inches on either side, forming a convenient footway around on top, with hollow octagon corners, forming a guard-house on top accessible only from the outside, giving the guard a full view of the walls on either side, without the least exposure from danger or weather. The entire structure and walls are laid in lime and cement, and built on natural stone foundation, the entire wall inclosing the ten and one-half acres of land, except 388 feet, which is now in course of construction.

The two main entrances, on each front corner, are so constructed as to require you to pass through two gates, about forty feet apart, neither of which can be opened unless the other is closed, and will be so arranged as to be operated by a gate-keeper in the guard-house, over the entrance, having a full view of all approaches. The buildings constitute the front wall, and front Cumberland river, containing offices, cell-house, chapel and dining halls. Here will be four hundred and fourteen cells, eighty of which are now about finished. They are constructed after the most improved plan now in use, and universally commended by all prison inspectors, and are like those in Joliet, Illinois, prison, each provided with a current of pure air, by means of a tube for that purpose, and with a foul air escape, a sanitary arrangement unexcelled.

An especial feature in regard to the construction of these cells is that the doors are so arranged that when each prisoner is to be locked in for the night, an entire tier of doors can be closed and locked simultaneously, by means of a spring operated by an unexposed guard, and can be opened and closed independent of each other. The plan and architecture of the whole building, so far as we are capable of judging, is perfect.

With a front on the north bank of the Cumberland river, which is navigable at all seasons of the year, the location affords both officers and prisoners an enchanting view for at least eight miles up and down that beautiful river, and over a stretch of country, the scenery of which is unexcelled by any other location in that country; besides the prisoners have the benefit of the pure breeze from the south, east and west in summer, and are sheltered from the wintry winds by the dense forest on the hills. On the north the drainage of the prison ground is perfect; the supply of water abundant, from a pure and inexhaustible running spring; the Cumberland waters can be easily and cheaply utilized for power to operate any machinery the State may in the future place within the walls.

Too much praise can not be accorded the administrative and executive ability of General Lyon for the manner in which he is conducting the works, which is much cheaper for the State than under the contract system, and when the State contractors threw up their contract and failure threatened the enterprise, the Gen-

eral, prompted by an interest of true devotion to his State, pledged his individual estate, five thousand dollars ($5,000), took personal charge of the enterprise, and has, by his active management, prosecuted the work with a vigor and economy highly commendable, and we doubt if there was ever more work done in so short a time and with as little outlay as since he took charge.

The State has about one hundred acres of land, with abundance of timber, inexhaustible quarries, already opened, of the finest stone in the world, seven hundred thousand brick already burnt and ready for use, $1,500 worth of machinery, brick machines, derricks and engines, one thousand yards of goods for suiting for prisoners, $5,000 worth stone cut and ready for the wall, twenty-eight head of mules and two horses all in fine condition and sound, has fed, clothed and guarded the prisoners, one hundred and fifteen in number, for one year and five months, and but two deaths, one a consumptive and one a boy who died with pneumonia. This is a mortality as favorable as could be hoped for. The prisoners are comfortably clothed, well fed and all look healthy.

They hire no labor except guards and stone-cutters, and hope to be able to complete the structure within eighteen months, or even less time, provided the appropriation is made available. The only delay in the progress of the work since General Lyon took hold of the enterprise, has been that the appropriation has not at all times been available. This fact alone has, we are informed, retarded the progress of the works at least twenty-five per cent.

This prison, once completed, will afford ample accommodation for all the prisoners the State is likely to have at one time, and will be one of the best, if not the best penitentiary in the United States, a credit to the State and a happy solution of the vexed question of competition between prison and free labor, now agitating the public mind and threatening open hostility and bloodshed. Therefore, your committee would unanimously recommend a further appropriation of not exceeding three and one-half cents on the $100 of taxable property of the State, which shall be levied and collected as a separate and special fund for that purpose, and that commissioners be furnished all the prison

labor they desire or can use, and that they be assisted and urged to prosecute the work to an early completion. All of which is respectfully reported.

J. H. McDANELL,
Chairman Senate Committee.

WM. P. THORNE,
Chairman House Committee.

Ordered, That said report be printed and the committee discharged.

Mr. Hill presented the petition of sundry citizens of Muhlenberg county, remonstrating against the working of convicts in mines.

Which was received, the reading dispensed with, and referred to the Committee on Penitentiary and House of Reform.

Mr. Walker presented the petition of sundry citizens of Allen county, praying the passage of an act authorizing the submission of the question of local option to the voters of Allen county on the first Monday in August, 1886.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

Mr. Taulbee, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to create the Nineteenth Circuit Court Judicial District and provide for the holding of courts therein,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Nineteenth Circuit Court Judicial District be, and the same is hereby, established, to be composed of the counties of Estill, Powell, Lee, Clay, Leslie, Perry, Letcher, Knott and Breathitt.

§ 2. That a term of the Circuit Court shall be held at the court-house in each of said counties, commencing at the time

herein specified, and continue the number of days allotted to each term, provided the business requires it, to wit:

In the county of Estill the first Mondays in September and March, and continue twelve juridical days each.

In the county of Powell on the third Mondays of September and March, and continue six juridical days each.

In the county of Lee on the fourth Monday in September and March, and continue six juridical days each.

In the county of Clay on the first Mondays of October and April, and continue twelve juridical days each.

In the county of Leslie on the third Mondays in October and April, and continue six juridical days each.

In the county of Perry on the fourth Mondays in October and April, and continue twelve juridical days each.

In the county of Letcher on the first Mondays in November and May, and continue twelve juridical days each.

In the county of Knott on the third Mondays in November and May, and continue six juridical days each.

In the county of Breathitt on the fourth Mondays of November and May, and continue twelve juridical days each.

§ 3. A Circuit Judge and Commonwealth's Attorney shall be elected in said judicial district on the first Monday in August, 1886, and at the same time in every sixth year thereafter.

§ 4. That this act shall take effect and be in force from and after the first Monday in July, 1886.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	R. G. Hays,	J. T. Simon,
A. S. Berry,	S. E. Hill,	J. R. W. Smith,
F. M. Clement,	H. T. Kendall,	E. R. Sparks,
W. M. Cravens,	W. F. Neat,	W. H. Taulbee,
Henry Dixon,	J. W. Ogilvie,	R. S. Triplett,
W. H. Frederick,	J. N. Price,	F. T. D. Wallace,
G. G. Gilbert,	F. D. Rigney,	J. H. Wilson—20.

In the negative—R. T. Albritton—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Taulbee moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

The Senate took up for consideration a bill, entitled

A bill to regulate railroad transportation.

On motion of Mr. Hill,

Ordered, That said bill be recommitted to the Committee on Railroads, with instructions to report on Wednesday, March 17th, at 11 o'clock A. M.

The Senate took up for consideration a bill, entitled

A bill to establish eight hours as a day's work.

Said bill reads as follows, viz:

WHEREAS, The spirit of our civilization is more and more inclined to recognize the rights of those who earn their bread in the sweat of their brows; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That eight hours shall constitute a day's work for all laborers, workmen and mechanics who may be employed by or on behalf of the government of the State of Kentucky.

§ 2. This act shall take effect from and after its passage.

Mr. J. R. W. Smith moved to amend said bill as follows, viz:

Amend the first section by inserting the words "and convicts," after the word "mechanics."

Mr. Hill moved to amend said bill as follows, viz:

Strike out "eight," and insert "six."

Mr. Alford moved to lay the amendment proposed by Mr. J R. W. Smith to said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Simon, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	J. W. Ogilvie,
M. C. Alford,	H. T. Kendall,	F. D. Rigney,
F. M. Clement,	J. H. McDanell,	J. T. Simon—9.

Those who voted in the negative, were—

A. S. Berry,	L. W. McKee,	R. S. Triplett,
W. M. Cravens,	W. F. Neat,	Robert Walker,
Henry Dixon,	J. N. Price,	F. T. D. Wallace,
W. H. Frederick,	J. R. W. Smith,	E. L. Worthington,
R. G. Hays,	E. R. Sparks,	J. H. Wilson—17.
S. E. Hill,	W. H. Taulbee,	

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	S. E. Hill,	J. R. W. Smith,
W. M. Cravens,	H. T. Kendall,	Robert Walker,
Henry Dixon,	J. N. Price,	E. L. Worthington,
W. H. Frederick,	F. D. Rigney,	J. H. Wilson—13.
R. G. Hays,		

Those who voted in the negative, were—

R. T. Albritton,	J. H. McDanell,	J. W. Ogilvie,
F. M. Clement,	L. W. McKee,	J. T. Simon,
John Feland,	W. F. Neat,	R. S. Triplett—9.

The question was then taken on the adoption of the amendment proposed by Mr. Hill to said bill, and it was decided in the negative.

Mr. J. R. W. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	H. T. Kendall,	Robert Walker,
Henry Dixon,	W. F. Neat,	F. T. D. Wallace,
W. H. Frederick,	J. R. W. Smith,	E. L. Worthington,
R. G. Hays,	W. H. Taulbee,	J. H. Wilson—13.
S. E. Hill,		

Those who voted in the negative, were—

R. T. Albritton,	T. S. Grundy,	F. D. Rigney,
M. C. Alford,	J. H. McDanell,	J. T. Simon,
F. M. Clement,	L. W. McKee,	E. R. Sparks,
John Feland,	J. W. Ogilvie,	R. S. Triplett—12.

Resolved, That the title of said bill be as aforesaid.

Mr. Hays moved to reconsider the vote by which the Senate had passed said bill.

Mr. J. R. W. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Neat and Feland, were as follows, viz:

In the affirmative—J. H. Wilson—1.

Those who voted in the negative, were—

R. T. Albritton,	J. D. Harris,	F. D. Rigney,
M. C. Alford,	R. G. Hays,	J. T. Simon,
A. S. Berry,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	H. T. Kendall,	E. R. Sparks,
F. M. Clement,	L. M. Martin,	W. H. Taulbee,
Henry Dixon,	J. H. McDanell,	R. S. Triplett,
John Feland,	L. W. McKee,	Robert Walker,
W. H. Frederick,	W. F. Neat,	E. L. Worthington,
G. G. Gilbert,	J. N. Price,	F. T. D. Wallace—28.
T. S. Grundy,		

Mr. McKee moved to postpone the further consideration of said bill until the first day of April.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Frederick, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	G. G. Gilbert,	J. W. Ogilvie,
M. C. Alford,	R. G. Hays,	J. T. Simon,
C. M. Clay, Jr.,	H. T. Kendall,	E. L. Worthington,
F. M. Clement,	J. H. McDanell,	W. H. Taulbee—12.

Those who voted in the negative, were—

A. S. Berry,	L. W. McKee,	E. R. Sparks,
John Feland,	W. F. Neat,	R. S. Triplett,
W. H. Frederick,	J. N. Price,	Robert Walker,
S. E. Hill,	F. D. Rigney,	F. T. D. Wallace,
L. M. Martin,	J. R. W. Smith,	J. H. Wilson—15.

Mr. Berry moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for to-morrow, at 11 o'clock A. M.

Mr. Simon moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday, March 19th, at 11 o'clock A. M.

And the question being taken on the motion made by Mr. Simon, it was decided in the affirmative.

The Senate took up for consideration a resolution, entitled

Joint resolution raising committee to investigate book of accounts of Geologist.

Mr. Simon moved that a committee of conference be appointed to take into consideration the disagreement of the two Houses in regard to an amendment proposed by the House of Representatives to said resolution.

And the question being taken thereon, it was decided in the affirmative.

Whereupon, the Speaker appointed Messrs. Simon and Hays such committee on the part of the Senate.

The Senate took up for consideration the following resolution, viz:

Resolved by the Senate, That it is thought to be inexpedient to pass laws at this session of the following character, viz:
To make counties support their pauper idiots.
To make them pay the cost of criminal prosecutions.
To make them pay for record books.
To make them pay for the transportation of prisoners from one jail to another.

Mr. Gilbert moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Rigney, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	T. S. Grundy,	J. N. Price,
M. C. Alford,	J. D. Harris,	F. D. Rigney,
C. M. Clay, Jr.,	S. E. Hill,	J. R. W. Smith,
John Feland,	L. M. Martin,	E. L. Worthington,
W. H. Frederick,	J. H. McDanell,	E. R. Sparks—17.
G. G. Gilbert,	L. W. McKee,	

Those who voted in the negative, were—

F. M. Clement,	W. F. Neat,	R. S. Triplett,
W. M. Cravens,	J. W. Ogilvie,	Robert Walker,
R. G. Hays,	J. T. Simon,	F. T. D. Wallace,
H. T. Kendall,	W. H. Taulbee,	J. H. Wilson—12.

Mr. Feland, from the Committee on Charitable Institutions, to whom was referred the nomination by the Governor of F. L. Waller, to be Steward of the Western Kentucky Lunatic Asylum, reported back the same with the expression of opinion that said nomination should be advised and consented to.

[*For nomination, see Senate Journal of February 27th.*]

And the question being taken thereon, it was decided in the affirmative.

So said nomination was advised and consented to.

Mr. Wilson, from the Committee on Fish Culture, to whom was referred a bill from the House of Representatives, entitled

An act to repeal an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1876,

Reported the same with the expression of opinion that the amendment adopted by the House of Representatives to the admendment adopted by the Senate to said bill be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Simon, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Henry M. Booth, of Anderson county,

Reported the same with the expression of opinion that said bill ought not to pass.

Ordered, That said bill be placed in the orders of the day.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 11, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your consent will appoint, A. G. Herr, D. A. Givens and T. C. Anderson additional members of the State Board of Health, under the provisions of an act, entitled "An act in relation to contagious and infectious diseases among cattle," which has this day been passed, the objections of the Governor to the contrary notwithstanding.

Very respectfully,

J. PROCTOR KNOTT.

Ordered, That the rules be suspended and that said nominations be advised and consented to.

Mr. Simon, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled "An act for the benefit of Daniel Lee, of Marshall county,"

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary, notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Clay moved to suspend the rules and take up for consideration a bill from the House of Representatives, entitled

An act providing for the summoning and pay of jurors in the Bourbon Quarterly Court.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albrisson,	J. D. Harris,	F. D. Rigney,
M. C. Alford,	R. G. Hays,	J. R. W. Smith,
C. M. Clay, Jr.,	S. E. Hill,	E. R. Sparks,
F. M. Clement,	L. M. Martin,	W. H. Taulbee,
John Feland,	J. H. McDanell,	R. S. Triplett,
W. H. Frederick,	W. F. Neat,	F. T. D. Wallace,
G. G. Gilbert,	J. W. Ogilvie,	J. H. Wilson—22.
T. S. Grundy,		

Those who voted in the negative, were—

A. S. Berry, H. T. Kendall—2.

Mr. Hill, from the Committee on Courts of Justice, to whom said bill had been referred,

Reported the same without amendment.

Mr. Hill moved to amend said bill by inserting the word "allowed" before the figures "$1.50" in the sixth line of first section.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Martin moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	J. D. Harris,	J. N. Price,
W. H. Frederick,	R. G. Hays,	E. R. Sparks,
G. G. Gilbert,	J. H. McDanell,	W. H. Taulbee—11.
T. S. Grundy,	J. W. Ogilvie,	

Those who voted in the negative, were—

R. T. Albritton,	H. T. Kendall,	J. R. W. Smith,
F. M. Clement,	L. M. Martin,	R. S. Triplett,
W. M. Cravens,	W. F. Neat,	F. T. D. Wallace,
John Feland,	F. D. Rigney,	J. H. Wilson—14.
S. E. Hill,	J. T. Simon,	

The Senate took up for consideration a bill, entitled

An act amendatory of the charter of the Tellico-Jellico Mountain Coal Company, secured under chapter 56, of the General Statutes of Kentucky, on the —— day of ——, 1885.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill to abolish the building known as the "Back Capitol," declaring same a nuisance.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, The building known as the "Back Capitol," located on the north-west corner of the Capitol Square, in the city of Frankfort, is a nuisance to the city of Frankfort, and most especially during the summer season;

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the building commonly known as the "Back Capitol" be, and the same is hereby, condemned as a nuisance, and the Librarian is instructed to have same removed, vaults filled up and the corners of State Square furnished to correspond with connecting portions. The Librarian is authorized to use the State convicts to do the work mentioned, using the convicts set apart for special work about the Capitol building and grounds. The Librarian is authorized to sell the material to be removed to the highest bidder, and all moneys received from said sale shall be placed in the State Treasury to the credit of the contingent fund, subject to the condition that the Librarian may contract with another person for the removal of the building, filling vaults and completing fence, being authorized to trade the building for the work of removing and completing if not at an extra expense of more than fifty dollars.

§ 2. The State Librarian is authorized and empowered to contract with the lowest bidder to build within the walls of the State Capitol building in the rooms used for paper storage, water-closets of the most approved plan and finish for comfort and economy; also urinals, water-works attachment, necessary drain pipes and drainage complete, and not less than eight water-closets and four urinals in number, all guaranteed to be free of nuisance from use of same. And the sum of $850 is hereby appropriated, or as much thereof as may be necessary, from moneys not otherwise appropriated from the State Treasury, for the purpose of paying for the work to be done under this act.

§ 3. This act to take effect the first day of April, 1886.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr.,	S. E. Hill,	W. H. Taulbee,
F. M. Clement,	H. T. Kendall,	R. S. Triplett,
W. M. Cravens,	J. W. Ogilvie,	F. T. D. Wallace,
T. S. Grundy,	J. R. W. Smith,	J. H. Wilson—12.

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	W. F. Neat,
M. C. Alford,	L. M. Martin,	F. D. Rigney,
John Feland,	J. H. McDanell,	J. T. Simon—9.

So said bill was rejected.

Mr. Feland moved to reconsider the vote by which the Senate had rejected said bill.

Which motion was simply entered.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Chamber of Commerce, of Lexington, Kentucky.

An act to establish an additional voting place in the Fairview magisterial district, in Todd county.

An act to amend an act, entitled "An act to incorporate the Board of Church Extension of the Methodist Episcopal Church, South," approved February 20, 1884.

An act to regulate the management of turnpike roads in Robertson and Nicholas counties.

An act to amend and reduce into one the several acts concerning the town of Earlington.

An act to incorporate the Hickman Bank.

An act to incorporate the People's Bank, of Fulton.

An act to incorporate the Cowan Station and Licking Valley Turnpike Road, and to allow the county of Fleming to take stock in same.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had rejected a bill, entitled

An act to amend section 3, article 2, chapter 61, General Statutes.

And the question being taken thereon, it was decided in the negative.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous or malt liquors within four miles of Mount Union Church, General Baptists, in Allen county;

An act to repeal section 4, of an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors in any quantity less than ten gallons in precinct No. 8, in Bourbon county," approved April 4, 1884;

An act to repeal an act, entitled "An act to provide for the working of the public roads in the counties of Pulaski, Rockcastle and Laurel," approved May 9, 1884;

An act to prevent the sale of spirituous, vinous and malt liquors in Rocky Hill Station, Edmonson county, and within one mile of the corporate limits of said town;

An act to incorporate the Anderson City and Fox Creek Turnpike Road Company;

An act declaring Salt Lick creek, in Floyd and Knott counties, a navigable stream;

An act to establish a road law for Boyd county;

Resolution authorizing the appropriation of $50 to Robert Loomis, for services at the Back Capitol;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to authorize the Owen County Court to issue bonds and levy a tax for turnpike purposes;

An act to charter the Frankfort Water Company, and to ratify and confirm the water-works ordinance of the board of the city of Frankfort and its contract thereunder with the Frankfort Water Company, of the city of Frankfort;

An act for the benefit of the Bourbon County Agricultural and Mechanical Society;

An act to amend the charter of the city of Covington;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker

of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Walker--

1. A bill to submit the question of local option to the voters of Allen county.

On motion of Mr. Taulbee—

2. A bill to create and establish the Nineteenth Judicial Circuit Court District, composed of the counties of Estill, Lee, Powell, Leslie, Clay, Perry, Knott, Letcher and Breathitt.

On motion of Mr. J. R. W. Smith—

3. A bill to amend the charter of the Kentucky School of Medicine, of Louisville, Kentucky.

On motion of Mr. Albritton—

4. A bill to regulate the terms of the Circuit Courts of Graves and Calloway counties.

On motion of Mr. Wallace—

5. A bill amending article 14, chapter 28, General Statutes.

On motion of same—

6. A bill to incorporate Colton Lodge, No. 229, Independent Order of Odd Fellows, at Colton, in Boyd county.

On motion of Mr. Wilson—

7. A bill to amend section 1, article 1, chapter 41, General Statutes.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st; the Committee on Courts of Justice the 2d and 4th; the Committee on Education the 3d, and the Committee on General Statutes the 5th, 6th and 7th.

On motion of Mr. Hill,

Ordered, That the consideration of bills and resolutions in the orders of the day be suspended, and the call of the committees be had.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Finance—

A bill to authorize the County Judge of Boyd county to collect certain uncollected county revenue due said county.

By Mr. Hill, from the Committee on Courts of Justice—

A bill incorporating the Louisville Natural Gas and Heating Company.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Jessamine Confederate Memorial Association.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to authorize the county of Mason to subscribe to the capital stock of railroad companies.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to repeal an act, entitled "An act relative to the Henry, Oldham and Jefferson Turnpike Road Company," approved February 20, 1878, and the amendment thereto, approved May 5, 1880.

By same—

An act to incorporate the Blue-grass Hedge Company.

By same—

An act to amend an act, entitled "An act to repeal the charter of the town of Uniontown, and all amendments thereto, and to re-incorporate the same by repealing the twenty-first section of said act.

By same—

An act to incorporate the Hopkins County Fair Company.

By Mr. Taulbee, from the Committee on Claims—

An act for the benefit of Farish Arnett, of Magoffin county.

By Mr. Hill, from the Committee on Courts of Justice—

An act to change the time of holding the County Court in Logan county.

By same—

An act to establish a Police Court in the town of Crofton, Christian county, and repeal section (6) six of the charter of said town.

By Mr. Alford, from the same committee—

An act to reduce into one all the acts in relation to the town of Greenville, in Muhlenberg county.

By Mr. Albritton, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county."

By Mr. Frederick, from the same committee—

An act to amend an act, entitled "An act to provide for working and keeping in repair the county roads of Campbell county," approved April 3, 1884.

By Mr. Sparks, from the Committee on Immigration and Labor—

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Midway," approved February 29, 1884.

By Mr. Wilson, from the Committee on Fish Culture—

An act to exclude Muhlenberg county from the provisions of an act, entitled "An act for the protection and propagation of food-fishes in this Commonwealth," approved March 20, 1876.

By Mr. Martin, from the Committee on the Judiciary—

An act for the benefit of the Cain Run Turnpike Road Company, in Nicholas county.

By same—

An act to amend an act, entitled "An act regulating the pay of Commonwealth witnesses in felony cases," approved

April 24, 1880, and regulating the manner of claiming attendance.

By Mr. Cravens, from the Committee on Railroads—

An act to incorporate the Lexington, Nicholasville and Whitesburg Railroad Company.

By Mr. Harris, from the Committee on Internal Improvements—

An act to incorporate the McClure and Alton Turnpike Road Company, in Anderson county.

By same—

An act to amend an act, entitled "An act to regulate the working and laying out of public roads in Russell county," approved May 12, 1884.

By same—

An act to amend an act, entitled "An act to incorporate the Kentucky Paving and Contract Company."

By same—

An act for the benefit of Estill Springs, in Estill county.

By same—

An act to incorporate the Irvin and Vienna Turnpike Road Company.

By Mr. Martin, from the Committee on the Judiciary—

An act for the benefit of Knott county.

With an amendment as a substitute for the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Feland, the Senate then adjourned.

FRIDAY, MARCH 12, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Blaine, in Lawrence county.

An act to incorporate and establish the Deposit Bank of Monticello, in Wayne county.

An act to incorporate the Snead & Company Iron Works.

An act to empower the Grant County Court to repair and operate all that portion of the Covington and Lexington Turnpike Road which lies in Grant county.

An act to incorporate the East End Banking Company, of Louisville.

An act incorporating the town of Dunmore, in Muhlenberg county.

An act to incorporate the Deposit Bank of Hiseville, in Barren county.

An act to regulate transfer and change of venue in felony cases, which are now pending in the counties of Floyd, Breathitt Perry and Letcher.

An act to amend an act, entitled "An act to authorize the County Court of Fayette county to subscribe stock in turnpike roads," approved April 1, 1882.

An act to fix and change the time for holding the regular terms of the Bath Court of Common Pleas.

An act for the benefit of Patrick Kelly, of Woodford county.

An act for the benefit of N. M. Williams, of Marshall county.

An act to provide for repairing and keeping in repair the public roads of Pulaski county.

An act for the benefit of the creditors of the Clark and Bourbon Turnpike Road Company.

An act to incorporate the Commercial Bank, of Catlettsburg.

That they had passed a bill which originated in the Senate, the veto of the Governor to the contrary notwithstanding, of the following title, viz:

An act in relation to infectious and contagious diseases of cattle.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to change the line dividing Hart from Larue county.

An act to provide for the funding and payment of the debts of Harrison county.

An act to incorporate the New Harmony Club, of Louisville.

An act fixing the fees of Justices of the Peace for the county of Calloway, for holding levy courts, etc., for the said county.

An act authorizing the city of Newport, Ky., to issue bonds for rebuilding bridge between Newport and Covington.

An act to regulate the civil jurisdiction of the Quarterly Courts of Mason, Shelby and Spencer counties.

An act to incorporate the town of Fordsville, in Ohio county.

An act to amend an act, entitled "An act to revise and amend the charter of the city of Newport," approved February 17, 1874.

An act to repeal chapter 1259, of the Session Acts, to define the jurisdiction of courts of Justices of the Peace in the county of Spencer.

An act to authorize the Harrison County Court to build a bridge across South Licking river, and to levy an ad valorem tax to pay for the same.

An act to amend an act, entitled "An act to regulate the mode of returning and the collection of the delinquent and insolvent taxes of Crittenden county," approved April 8, 1884.

An act to incorporate the town of Nepton, in Fleming county.

An act to amend the charter of the city of Maysville.

An act for the benefit of John J. Kouns, late Sheriff of Boyd county.

With amendments to the two last-named bills.

That they had passed bills of the following titles, viz:

1. An act to amend and continue in force an act, entitled "An act to incorporate the town of Payneville, in the county of Meade."

2. An act to amend an act, entitled "An act to incorporate the town of Camdensville, in Anderson county, and to change the name of said town from Camdensville to Orr."

3. An act to incorporate the town of Dowling, in Anderson county.

4. An act to amend an act, entitled "An act to amend and reduce into one the various acts in regard to the town of Whitesville, in Daviess county," approved April 16, 1882.

5. An act to authorize the town of Glasgow to refund its bonded debt.

6. An act to repeal so much of an act for the benefit of certain County Clerks of this Commonwealth as applies to Logan county.

7. An act to provide for the election of town officers of Jeffersontown, in Jefferson county, for the year 1886.

8. An act to amend and reduce into one all the acts and amendments to the charter of the town of Germantown, in Mason and Bracken counties.

9. An act creating the Gubser Mill magisterial district, in Campbell county.

10. An act to enable Theodore L. Harrison to act as Deputy Clerk of the Carroll County Court.

11. An act to repeal an act, entitled "An act to amend section 19, chapter 42, General Statutes."

12. An act to regulate and provide for the advertisement of sales of real estate under judgments of courts of equity and executions in Morgan county.

13. An act to amend an act, entitled "An act to incorporate the town of Rockport, in Ohio county," approved February 24, 1878.

14. An act to establish an additional Justices' district, in Laurel county.

15. An act to amend an act, entitled an act to amend and reduce into one all the acts and laws in relation to the town of Trenton, in Todd county," approved March 24, 1884.

16. An act authorizing the County Court of Wayne county to levy an ad valorem tax for the purpose of bridging water-courses, building culverts and repairing the public highways in said county.

17. An act to provide for the working of persons committed to the custody of the Jailer of Pike, Letcher, Martin, Knott, Floyd, Johnson, Elliott and Carter.

18. An act to amend an act, entitled "An act to amend, revise and reduce into one the several acts in regard to the town of Shepherdsville, Bullitt county," approved April 30, 1884.

19. An act to authorize the Pike County Court to establish a ferry across Sandy river, just below the town of Pikeville.

20. An act concerning the advertising of Sheriffs' and Commissioners' sales of lands in Wolfe and Montgomery counties.

21. An act to authorize the town of Glasgow to issue bonds to pay its floating debt and repair its streets.

22. An act to authorize precinct No. 1, in Barren county, to refund its bonded debt.

23. An act providing game law for Campbell county.

24. An act to provide for the removal of the records and papers of Justices of Muhlenberg county into the Police Courts of said county, and regulate proceedings thereon.

25. An act fixing the compensation of Justices of the Peace of Pulaski county sitting as a Court of Claims.

26. An act to change the time of holding the Court of Claims in Elliott county.

27. An act regulating the jurisdiction of the Police Judge and Marshal of the town of Independence.

28. An act to prohibit the sale of spirituous, vinous or malt liquors in Glasgow Junction, in Barren county, and within one mile of the outside boundary of said town.

29. An act to empower Logan county to retire the bonds of said county, to create a sinking fund, to provide for commission of same, and to provide for the collection of taxes for that purpose in said county.

30. An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Franklin, in Simpson county."

31. An act to amend the charter of the town of Somerset.

32. An act to amend an act, entitled "An act to amend the charter of the town of New Castle, and reduce into one the amendments thereto," approved March 25, 1882.

33. An act fixing the times for holding the McLean County Courts.

34. An act to regulate the time for holding the Bullitt County Court.

35. An act authorizing the County Court of Menifee county to issue bonds and provide for their payment for the purpose of building a jail.

36. An act to authorize the County Court of Franklin county to issue bonds for the purpose of funding the present floating debt of said county.

37. An act authorizing the Franklin County Court of Claims to elect a back tax collector, and defining his powers and duties.

38. An act to enable the County Court of Harlan county to issue bonds for the purpose of erecting a court-house in said county.

39. An act to repeal an act, entitled "An act in relation to Commissioners' sales in Nelson county," approved March 13, 1876.

40. An act regulating the transfer of causes and appeals to and from the several courts of Kenton county.

41. An act to authorize the Board of Councilmen of the city of Frankfort to issue bonds for school purposes.

42. An act to amend the charter of the town of California, county of Campbell.

43. An act to authorize the Metcalfe County Court of Claims to levy an ad valorem tax for improving roads and building bridges.

44. An act to amend an act, entitled "An act to amend and reduce into one the acts relating to the town of Russellville," approved May 1, 1880.

45. An act creating a new voting precinct in the county of Campbell.

46. An act to amend an act, entitled "An act to incorporate the town of Providence, in Webster county."

47. An act to repeal so much of section 7, chapter 81, of the General Statutes, as makes the offices of Surveyor and Deputy Clerk incompatible.

48. An act to amend the charter of the town of Central Covington, in Kenton county.

49. An act to include McCracken county in the game law, approved March 11, 1876.

50. An act to amend section 99, of an act, entitled "An act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto," approved May 12, 1884.

51. An act to authorize the Daviess County Court to levy an ad valorem tax for ordinary purposes.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 3d, 5th, 6th, 11th, 12th, 15th, 17th, 18th, 23d, 25th, 26th, 34th, 38th, 42d, 47th and 49th to the Committee on General Statutes; the 4th, 9th, 13th, 14th, 20th, 24th, 27th, 29th, 35th and 46th to the Committee on Courts of Justice; the 7th and 16th to the Committee on Agriculture and Manufactures; the 19th, 21st, 22d, 31st, 32d, 43d and 50th to the Committee on Internal Improvements; the 28th to the Committee on Religion and Morals; the 33d and 51st to the Committee on Finance; the 36th, 37th and 41st to the Committee on Military Affairs; the 8th, 39th, 40th, 44th, 45th and 48th to the Committee on Privileges and Elections, and the 10th and 30th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives announcing that they had passed a bill, entitled

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors in Springdale precinct, of Jefferson county," approved April 15, 1884.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Gilbert moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors in Springdale precinct, in Jefferson county," approved April 15, 1884, be, and the same is hereby, repealed.

§ 2. This act shall take effect from and after its passage, and said precinct is hereby given the right to vote on the question as to whether spirituous, vinous or malt liquors shall be sold therein, at any regular election, as provided in an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in this Commonwealth," approved January 26, 1874.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Hays, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	D. H. Smith,
C. M. Clay, Jr.,	R. G. Hays,	J. R. W. Smith,
F. M. Clement,	L. W. McKee,	W. H. Taulbee—11.
Henry Dixon,	J. T. Simon,	

Those who voted in the negative, were—

A. S. Berry,	S. E. Hill,	R. S. Triplett,
R. A. Burnett,	J. H. McDanell,	Robert Walker,
W. M. Cravens,	J. W. Ogilvie,	F. T. D. Wallace,
John Feland,	J. N. Price,	J. H. Wilson—13.
W. H. Frederick,		

So said bill was disagreed to.

Mr. Frederick moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Feland moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Hays, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	G. G. Gilbert,	J. N. Price,
A. S. Berry,	T. S. Grundy,	E. R. Sparks,
R. A. Burnett,	J. D. Harris,	W. H. Taulbee,
F. M. Clement,	S. E. Hill,	R. S. Triplett,
W. M. Cravens,	L. M. Martin,	Robert Walker,
John Feland,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	J. W. Ogilvie,	F. T. D. Wallace—21.

Those who voted in the negative, were—

M. C. Alford,	L. W. McKee,	J. R. W. Smith,
C. M. Clay, Jr.,	J. T. Simon,	J. H. Wilson—8.
H. T. Kendall,	D. H. Smith,	

On motion of Mr. Clement, leave of absence, indefinitely, was granted Messrs. Rigney and Neat.

Mr. Hays presented a memorial from sundry citizens of Louisville, praying for a continuance of the Geological Survey and Bureau of Immigration.

Which was received, the reading dispensed with, and referred to the Committee on Public Expenditures.

The Speaker laid before the Senate a communication from the Louisville Board of Trade, praying that an appropriation be made to purchase instruments to be used in making weather observations.

Which was read and referred to the Committee on Finance.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 12, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

Ira L. Smith, Christian county.
Wm. Ryan, Jefferson county.
R. B. Brown, Gallatin county.
Wm. J. Davidson, Kenton county.
P. N. Myers, Kenton county.
H. C. Gans, Daviess county.
Willoughby Rodman, Franklin county.
W. R. Abbott, Jefferson county.
T. L. Harrison, Carroll county.
J. H. Van Hook, Lincoln county.
J. P. Weckman, Campbell county.
A. B. White, Montgomery county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

On motion of Mr. Hays,

Ordered, That the consideration of bills and resolutions in the orders of the day be dispensed with, and a call of the committees be had.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Clement, from the Committee on Privileges and Elections—

An act to divide Hancock precinct, in Crittenden county, into two voting precincts.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to prevent stock from running at large in Marshall county.

By Mr. Albritton, from the same committee—

An act to amend and reduce into one the several acts in relation to roads and bridges in Union county.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to incorporate the Ghent Deposit Bank.

By same—

An act to amend an act, entitled "An act to incorporate the Russellville Banking and Warehouse Company."

By same—

An act to incorporate the Security, Trust and Safety Vault Company, of Lexington.

By same—

An act to incorporate the People's Loan and Trust Company, of Russellville.

By same—

An act to incorporate the Owensboro Trust Company, of Owensboro.

By Mr. Hill, from the same committee—

An act to incorporate the Bank of Calhoon.

By Mr. Berry, from same committee—

An act to amend an act, entitled "An act to incorporate the Kentucky and Louisville Mutual Insurance Company."

By Mr. Hill, from the Committee on Courts of Justice—

An act to repeal an act to incorporate the town of Airdrie.

By same—

An act to amend the charter of the town of Bremen, in Muhlenberg county.

By Mr. Taulbee, from the same committee—

An act fixing the fees of Justices of the Peace for Carter county.

By same—

An act to repeal an act authorizing the Pike County Court of Claims to allow the Sheriff of Pike county not to exceed $100 for waiting on the courts of said county, approved April 27, 1880.

By Mr. Harris, from the Committee on Internal Improvements—

An act to recharter the town of Mount Vernon, Rockcastle county.

By same—

An act to amend an act, entitled "An act to authorize the County Court of Warren county to subscribe stock to turnpike roads in said county."

By same—

An act for the benefit of the Cabin Creek and Manchester Branch Road Pike Company, of Lewis county.

By same—

An act to amend an act, entitled "An act to incorporate the Poplar Flat, Indian River and Salt Lick Turnpike Road Company, in Lewis county."

By Mr. Simon, from the Committee on Executive Affairs—

An act to amend the charter of the city of Augusta, in Bracken county.

By Mr. Berry, from the Committee on Education—

An act to incorporate and establish a public school for colored people in the town of Elkton, and within a radius of three miles of the court-house in said town.

By same—

An act for the benefit of common school district No. 1, white, in Fleming county.

By Mr. Wilson, from the Committee on General Statutes—

An act to repeal an act, entitled "An act to incorporate the town of Woodstock, in Pulaski county," approved April 22, 1884.

By Mr. Berry, from the Committee on Education—

An act for the benefit of common school district No. 50, in Union county.

By same—

An act for the benefit of the Trustees of Funk Seminary, Lagrange, Oldham county.

By same—

An act to amend an act, entitled "An act for the benefit of common school district No. 25, in Oldham county," approved April 25, 1882.

By same—

An act to amend an act, entitled "An act amending the charter of the district of Highlands, in Campbell county," approved April 10, 1884," being chapter 699, Session Acts of Kentucky Legislature, 1883-84.

By Mr. Wilson, from the Committee on General Statutes—

An act to amend an act, entitled "An act to incorporate the town of East Bernstadt, in Laurel county."

By Mr. D. H. Smith, from the same committee—

An act to amend an act, entitled "An act to charter the town of Rowletts, in Hart county," approved April 6, 1882.

By Mr. Martin, from the Committee on the Judiciary—

An act to consolidate the Carlisle and Rogers Mill and the Flat Rock Turnpike Road Companies, and for the benefit of said companies.

By same—

An act to enlarge the boundaries of the town of Crofton, in Christian county, and to repeal section two (2) of the charter of said town.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Ohio Valley Railroad and Mining Company," approved April 20, 1882.

By same—

An act to amend the charter of the South Kentucky Railroad Company.

By Mr. Simon, from the Committee on Executive Affairs—

An act to provide for appointing and electing Commissioners for the county of Pendleton, and defining their duties and the duties of other county officers, and to provide for taking the sense of the qualified voters of said county on the approval of same.

By same—

An act to incorporate the Bowling Green and Northern Railroad Company.

With amendments to the two last-named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to incorporate the Owensboro Safety Vault and Trust Company.

By Mr. Berry, from the same committee—

A bill to amend an act incorporating the Continental Life Insurance Association.

By same—

A bill to amend the charter of the American Mutual Aid Association.

By Mr. Hill, from the Committee on Courts of Justice—

A bill to regulate the terms of the Circuit Courts of Graves and Calloway counties.

By Mr. Taulbee, from the same committee—

A bill amending and repealing so much of the city charter of Louisville, and the amendments thereto, as is embraced in section 9, of the revision or codification of the said charter and amendments by Gilbert Burnett.

By Mr. Berry, from the Committee on Education—

A bill to amend the charter of the Kentucky School of Medicine, at Louisville.

By Mr. Wallace, from the Committee on General Statutes—

A bill to incorporate Coalton Lodge, No. 229, Independent Order of Odd Fellows, at Coalton, in Boyd county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate:

I have the honor to nominate, and by and with your consent will appoint, the following named gentlemen to fill vacancies on the State Board of Health: Dr. W. O. McReynolds and Dr. J. M. Poyntz, to fill the vacancies occasioned by the expiration of their respective terms, and Dr. Robert Walker, of Allen county, to fill the vacancy caused by the death of Dr. Dunlap.

Very respectfully,

J. PROCTOR KNOTT.

Ordered, That said nominations be referred to the Committee on Charitable Institutions.

The Senate, according to order, took up for consideration a bill, entitled

An act providing for the removal of the State Capitol.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the seat of State Government be, and the same is hereby, removed from the city of Frankfort to the city of Lexington.

§ 2. This act shall take effect on the first day of September, 1886.

Mr. Alford moved the following amendment as a substitute for said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the seat of Government of the Commonwealth of Kentucky be, and is hereby, removed from the city of Frankfort to the city of Lexington.

§ 2. That at the regular election to be held on the first Monday in August, 1886, there shall be opened by the Sheriff and other officers of election at all the precincts and voting places in the county of Fayette, polls, with appropriate headings, for the purpose of ascertaining the sense of the qualified voters of Fayette county on the question of the subscription hereinafter provided for, and it shall be the duty of the Sheriff or other officer of the election in said county to propound to each qualified voter in their respective precincts who offers to vote at said election the question as follows, to wit: "Shall Fayette county

subscribe $500,000 to the State of Kentucky for the purpose of establishing the State Capital at Lexington," and if said voter answers in the affirmative he shall be recorded on the said poll as voting in favor of said subscription, and if the said voter answers in the negative, he shall be recorded as voting against said subscription.

§ 3. That twenty days' notice of the submission of said question shall be given by the County Court or the County Judge of said county by advertisement in one or more newspapers published in said county, and by printed posters, two of which shall be posted in each precinct in Fayette county, and at such other places as the Judge of said county may designate.

§ 4. That the result of said election shall be determined by the same officers and in like manner as the result of other elections for county officers.

§ 5. That in the event that a majority of the votes cast on said question are in favor of said subscription, the County Judge of Fayette county shall cause to be issued the bonds of said county to the extent of $500,000 in denomination of $1,000 each, payable in thirty years after July 1, 1886, bearing interest at the rate of five per cent. per annum, payable semi-annually, at such bank in the city of Lexington, Kentucky, or the city of New York as the County Judge shall designate in said bonds, which interest shall be evidenced by coupons. Said bonds shall be signed by said Judge and countersigned by the County Clerk, and the coupons shall be signed by said Clerk. Said bonds shall be sold at not less than par and interest accrued at the time of sale and the proceeds paid to the State Treasurer of Kentucky, to be by him held as a separate fund to be used in purchasing the necessary site and buildings, and in the erection of all necessary and suitable buildings for the State Government.

§ 6. This act shall take effect and be in force thirty days after its passage. The removal provided for in the first section hereof shall not be operative or made until the proceeds of all of said bonds shall have been paid to the State Treasurer of this Commonwealth as aforesaid, who shall make public proclamation thereof by advertisement in a paper published in the city of Frankfort, and the Commissioners of the Sinking Fund of this Commonwealth are authorized, empowered and directed to make provision for the accommodation of the State Government in the city of Lexington until the General Assembly shall provide for the location, purchase and erection of permanent buildings therefor.

Mr. Feland moved to amend said bill as follows, viz:

By striking out the words "to the city of Lexington" wherever they occur.

On motion of Mr. Alford,

Ordered, That said bill and proposed amendments be recommitted to the Committee on the Judiciary, with instructions to report at any time.

On motion of Mr. Wilson,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill, entitled

An act amendatory of the charter of the Tellico-Jellico Mountain Coal Company, secured under chapter 56, of the General Statutes of Kentucky, on the —— day of ——, 1885.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Wilson moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Dixon, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of the Clerk of the Board of Councilmen, of the city of Frankfort,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, By the provisions of the charter of the city of Frankfort, the Clerk of the Board of Councilmen, of the city of Frankfort, is required to collect all State licenses on coffee-houses, beer saloons, billiard tables and merchants' liquor, and, whereas, in conformity with said charter the present Clerk has collected and paid into the State Treasury the sum of $8,543, upon which he has received no commissions, which are now provided by an act, entitled "An act to amend the charter of the city of Frankfort," approved February 2, 1886, which act allows said Clerk five per cent. commission on all sums so collected and paid into the State Treasury after its passage; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Clerk of the Board of Councilmen, of the city of Frankfort, is hereby allowed the sum of

$213.50, being two and a half per cent. commission on the amount collected and paid into the State Treasury by him as aforesaid, and the Auditor of Public Accounts is hereby directed to pay the same.

§ 2. This act shall be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	J. D. Harris,	D. H. Smith,
A. S. Berry,	S. E. Hill,	J. R. W. Smith,
W. M. Cravens,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	W. H. Taulbee,
W. H. Frederick,	L. W. McKee,	R. S. Triplett,
G. G. Gilbert,	J. W. Ogilvie,	F. T. D. Wallace—20.
T. S. Grundy,	J. T. Simon,	

Those who voted in the negative, were—

John Feland,	H. T. Kendall,	J. H. Wilson—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Park City Railway Company;

An act to prohibit and regulate the sale of spirituous, vinous and malt liquors in common school district No. 68, in Muhlenberg county, and in the town of Rosewood, of which district said town is a part;

An act for the benefit of Estill Timberlake, relieving her of the disabilities of nonage;

An act to incorporate the Blue-grass Hedge Company;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Farmers' Deposit Bank, of Cynthiana," approved March 26, 1884;

An act to amend an act, entitled "An act to incorporate the

Washington County Railroad District, and define the powers, duties and privileges of the same, approved March 12, 1884;"

An act to consolidate and reduce into one the several acts in relation to the town of Taylorsville;

An act to incorporate the Henderson Trust Company;

An act to amend an act, approved the seventeenth of April, 1882, entitled "An act to authorize the construction and maintenance of a court-house in Newport, in Campbell county, and to increase the powers and duties of the Commissioners of the said district;"

An act to amend an act, entitled "An act to incorporate the North Middletown Deposit Bank," approved March 15, 1869;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Grundy, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of P. A. Cline, late Sheriff of Pike county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasurer of this Commonwealth in favor of P. A. Cline for the sum of $188.81, which sum the Treasurer is hereby directed to pay to said Cline out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	J. D. Harris,	D. H. Smith,
M. C. Alford,	R. G. Hays,	J. R. W. Smith,
A. S. Berry,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	J. H. McDanell,	R. S. Triplett,
F. M. Clement,	L. W. McKee,	Robert Walker,
W. M. Cravens,	J. W. Ogilvie,	F. T. D. Wallace,
Henry Dixon,	J. N. Price,	E. L. Worthington,
W. H. Frederick,	J. T. Simon,	J. H. Wilson—28.
T. S. Grundy,		

In the negative—John Feland—1.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, entitled

An act to abolish the building known as the "Back Capitol," declaring same a nuisance.

The question being on the motion heretofore made by Mr. Feland to reconsider the vote by which the Senate had rejected said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	T. S. Grundy,	J. N. Price,
C. M. Clay, Jr.,	J. D. Harris,	J. R. W. Smith,
F. M. Clement,	R. G. Hays,	W. H. Taulbee,
W. M. Cravens,	S. E. Hill,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	Robert Walker,
John Feland,	L. W. McKee,	E. L. Worthington,
W. H. Frederick,	J. W. Ogilvie,	J. H. Wilson—21.

Those who voted in the negative, were—

R. T. Albritton,	H. T. Kendall,	D. H. Smith,
M. C. Alford,	L. M. Martin,	F. T. D. Wallace—6.

Resolved, That the title of said bill be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had postponed until Friday, March 19th, the consideration of a bill, entitled

An act to establish eight hours as a day's work.

[*For bill, see Senate Journal, March 11th.*]

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had adopted an amendment proposed by him to said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. J. R. W. Smith, by consent of the Senate, withdrew said amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Berry, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

A bill to amend chapter 18, General Statutes,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Taulbee,

Ordered, That said bill be recommitted to the Committee on Education.

Mr. D. H. Smith, from the Committee on General Statutes, to whom was recommitted a bill, entitled

An act to amend chapter 29, General Statutes,

Reported the same with an amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the common law and any other law declaring or making dogs or bitches of wild nature, and not property, are hereby repealed.

§ 2. Every dog or bitch that shall be reported to the proper Assessor for taxation for the following year, and upon which a tax of not less than $1 shall be paid to the Sheriff within ninety days after he is ready to receive the taxes for said year, or any dog or bitch that may not have been reported to the Assessor upon which a like tax shall be paid to the Sheriff of the county where the owner, holder or harborer of such dog or bitch resides or has domicile, after said Sheriff is ready to receive the taxes for that year, shall be property under the civil and criminal laws of this Commonwealth.

§ 3. Sheriffs of this State shall receive the tax upon dogs or bitches whenever tendered to them after the tenth day of January of any year, and shall keep a proper register of the dogs or bitches upon which the taxes for each year have been paid, and shall furnish the payer a receipt for same, and also a small metal tag suitable for attachment to a dog collar, showing the number of such dog or bitch and the letters "Ky." thereon. Such receipt or tag for the proper year shall be *prima facie* evidence that the tax on the dog or bitch has been paid, and shall protect the dog or bitch for ninety days after the Sheriff of the county, where they would be taxable, is ready to receive the taxes for the following year.

§ 4. That all owners, holders or harborers of dogs or bitches shall be responsible to any one suffering damage from them to other property, whether such owner, holder or harborer shall have any knowledge of the disposition of such dog or bitch to commit that kind of damage or any other damage or not.

§ 5. Any owner, holder or harborer of a bitch who shall permit her to go at large or leave her unconfined, when in season or heat, shall be liable to any one suffering damage from her or the dogs that shall be with or about her upon proper action in the court having jurisdiction of the amount claimed.

§ 6. This act shall take effect and be in force from and after its passage.

Said amendment reads as follows, viz:

Amend by striking out all the words after the word "same," in the sixth line of section 3, down to and including the word

"therein," in the eighth line of said section, and by striking from the eighth line of section 3 the words "or tag."

Mr. J. R. W. Smith moved to amend said bill as follows, viz:

There shall be no municipal or other tax or license on dogs or bitches in this State except as provided in this act.

Mr. Hill moved to amend said bill as follows, viz:

By striking out the words "dog or bitch" wherever they occur, and inserting in lieu thereof the words "canine animal."

Mr. Feland moved to lay said bill and proposed amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	S. E. Hill,
A. S. Berry,	G. G. Gilbert,	L. M. Martin,
R. A. Burnett,	T. S. Grundy,	J. N. Price,
F. M. Clement,	J. D. Harris,	W. H. Taulbee—12.

Those who voted in the negative, were—

M. C. Alford,	J. H. McDanell,	E. R. Sparks,
C. M. Clay, Jr.,	L. W. McKee,	R. S. Triplett,
W. M. Cravens,	J. T. Simon,	Robert Walker,
Henry Dixon,	D. H. Smith,	F. T. D. Wallace,
R. G. Hays,	J. R. W. Smith,	J. H. Wilson—16.
H. T. Kendall,		

On motion of Mr. Wilson,

Ordered, That said bill and proposed amendments be recommitted to the Committee on General Statutes.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Joel H. Wells, of Calloway county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

So said bill was disagreed to.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Gilbert—

1. A bill requiring the County Court to establish a north and south line in each county.

On motion of Mr. Simon—

2. A bill to amend an act to incorporate the Grand Lodge Ancient Order of United Workmen.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, and the Committee on the Judiciary the 2d.

Mr. Berry, from the Committee on Banks and Insurance, to whom was recommitted a bill, entitled

An act to incorporate the Louisville Savings Investment Association,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

A bill to incorporate the Madison and South-eastern Railway Company,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. D. H. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

SATURDAY, MARCH 13, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives announcing that they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act for the benefit of Knott county.

That they had passed a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act for the benefit of Mrs. Mattie Bennett, of Henry county."

That they had passed bills of the following titles, viz:

1. An act to exempt Yellow Creek, in Hancock county, from the provisions of sections 2 and 3 of the fish law, approved March 20, 1876.

2. An act to prohibit stock from running at large in McCracken county, etc.

3. An act regulating the exemption of personal property from execution, attachment, distress for rent and fee bills, in this Commonwealth.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Finance, the 2d to the Committee on Propositions and Grievances.

On motion of Mr. J. R. W. Smith,

Ordered, That the 3d, the last-named bill, be made the special order of the day for Wednesday, March 17th, at 11 o'clock A. M., and from day to day until disposed of.

On motion of Mr. Ogilvie, leave of absence, indefinitely, was granted Messrs. Bryan, Feland, Albritton, Harris, Price, Clay, Wallace, Walker and Hon. J. Fry Lawrence, Door-keeper of the Senate.

Mr. J. R. W. Smith, from the Committee on Charitable Institutions, to whom was referred the nominations of Dr. W. O.

Reynolds, Dr. J. M. Poyntz and Dr. Robert Walker as members of the State Board of Health,

Reported the same with the expression of opinion that said nominations be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

So said nominations were advised and consented to.

Mr. J. R. W. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Martin moved the following resolution, viz:

Resolved by the Senate, That it shall be the duty of the Speaker, immediately after the reading of the Journal of each day, to order a call of the roll, and the absentees without leave shall be noted of record.

Which, under the rule, lies over one day.

Mr. Martin moved that the rule be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

Mr. J. R. W. Smith moved to lay said resolution on the table.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said resolution fell into the orders of the day.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Simon were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	Henry Dixon,	J. R. W. Smith,
A. S. Berry,	W. H. Frederick,	E. L. Worthington,
W. M. Cravens,	L. W. McKee,	R. S. Triplett—9.

Those who voted in the negative, were—

G. G. Gilbert,	L. M. Martin,	J. T. Simon,
R. G. Hays,	J. H. McDanell,	D. H. Smith,
S. E. Hill,	J. W. Ogilvie,	W. H. Taulbee—10.
H. T. Kendall,		

Mr. Hays moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and J. R. W. Smith, were as follows, viz:

In the affirmative—R. G. Hays—1.

Those who voted in the negative, were—

M. C. Alford,	S. E. Hill,	J. R. W. Smith,
A. S. Berry,	H. T. Kendall,	W. H. Taulbee,
W. M. Cravens,	L. M. Martin,	R. S. Triplett,
W. H. Frederick,	J. H. McDanell,	E. L. Worthington,
G. G. Gilbert,	J. W. Ogilvie,	D. H. Smith—17.
T. S. Grundy,	J. T. Simon,	

The Senate took up for consideration the unfinished report of the Committee on Railroads, being a bill, entitled

A bill to incorporate the Madison and South-eastern Railway Company.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Frederick, from the Committee on Agriculture and Manufactures, to whom was referred leave to bring in a bill, entitled

A bill to regulate the sale of fertilizers in this Commonwealth and to protect the agriculturist in the purchase and use of same,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Frederick,

Ordered, That said bill be recommitted to the Judiciary Committee.

Mr. McDanell, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act authorizing the Auditor to appoint agents to attend to revenue matters," approved April 29, 1880,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act authorizing the Auditor to appoint agents to attend to revenue matter," approved April 29, 1880, be, and the same is hereby, amended as follows:

§ 2. That it shall be the duty of all agents appointed by the Auditor under said act, who are now in office, to make out and file with the Auditor within forty days after this act shall take effect, under oath, an itemized statement, showing all sums of money which have come to their hands by virtue of their office and from whom collected.

§ 3. That it shall be the further duty of all agents of the Auditor under said act to make out under oath and file an itemized report with the Auditor of Public Accounts annually hereafter, to wit: On the first Monday in September in each year, showing all sums of moneys collected by them and from whom collected.

§ 4. That said act is hereby further amended by striking the word "annually" out of the first section thereof, and inserting in lieu thereof the words, "every two years."

§ 5. That for any violation of the provisions of the second or third sections of this act, the offender shall be fined in any sum not exceeding $1,000, and shall also forfeit his office.

§ 6. This act shall take effect and be in force from and after its passage.

Mr. Gilbert moved to amend said bill by striking out of section 2 the words, "who are now in office."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Martin, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to enable any foreign corporation to acquire the property and franchises of the Kentucky Union Railway Company,

and of the Red River Lumber Company, and to transact business in this Commonwealth,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be placed in the orders of the day.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Hill, from the Committee on Courts of Justice—

A bill to incorporate the American Accident Company.

By Mr. Berry, from the Committee on Education—

A bill to amend an act, entitled "An act for the benefit of Mrs. Mattie Bennett, of Henry county."

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill to prohibit the sale of spirituous, vinous or malt liquors in the first and second magisterial districts of Shelby county.

By Mr. Taulbee, from the same committee—

A bill to incorporate Salem Baptist Church, and to prevent the sale of liquors within three miles thereof.

By Mr. McDanell, from the same committee—

A bill to amend an act, entitled "An act to incorporate and establish a public school in the town of Elkton, and within a radius of three miles of the court-house in said town."

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

A bill concerning sheep and hogs in Jefferson county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Privileges and Elections—

An act creating a new voting precinct in the county of Campbell.

By same, from the Committee on Religion and Morals—

An act to amend an act, entitled "An act to amend the charter of Jamestown, in Russell county."

By Mr. McKee, from the Committee on Military Affairs,

An act to authorize the Board of Councilmen of the city of Frankfort to issue bonds for school purposes.

By Mr. Grundy, from the Committee on Agriculture and Manufactures—

An act authorizing the County Court of Wayne county to levy an ad valorem tax for the purpose of bridging watercourses, building culverts and repairing the public highways in said county.

By Mr. Frederick, from the same committee—

An act to provide for the election of town officers of Jeffersontown, in Jefferson county, for the year 1886.

By Mr. Alford, from the Committee on Charitable Institutions—

An act to incorporate Star Lodge, No. 19, Knights of Pythias, of Owensboro.

By Mr. Cravens, from the Committee on Courts of Justice—

An act to establish an additional Justices' district, in Laurel county.

By Mr. McDanell, from the Committee on Finance—

An act to fix the portion of county and municipal expenses to be paid by the city of Covington, in the county of Kenton.

By Mr. Triplett, from the same committee—

An act relating to taxes in the county of Daviess where lands have been or may hereafter be sold therefor and bought by it, authorizing it to resell such lands and when it may purchase the same, to empower it to recover, hold and dispose of the same, and authorizing the appointment of a collector of such taxes.

By Mr. Hill, from the Committee on Courts of Justice—

An act to provide for the removal of the records and papers of Justices of Muhlenberg county into the Police Courts of said county, and regulate proceedings thereon.

By Mr. Dixon, from the same committee—

An act to amend an act, entitled "An act to incorporate the town of Providence, in Webster county."

By Mr. Hays, from the same committee—

An act to amend an act, entitled "An act to incorporate the town of Rockport, in Ohio county," approved February 24, 1870.

By same—

An act creating the Gubser Mill magisterial district, in Campbell county.

By Mr. Alford, from the same committee—

An act regulating the jurisdiction of the Police Judge and Marshal of the town of Independence.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Gilbert—

1. A bill to amend the charter of the town of Shelbyville.

On motion of Mr. Simon—

2. A bill to incorporate the Pendleton Natural Gas Company.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, and the Committee on the Judiciary the 2d.

Mr. Price, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1876;

An act to prohibit the sale of spirituous, vinous or malt liquors within five miles of the North Rolling Fork Baptist Church, on the Rolling Fork, in Boyle county;

An act to amend an act, entitled "An act regulating the

pay of Commonwealth witnesses in felony cases," approved April 24, 1880, and regulating the manner of claiming attendance;

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Midway," approved February 29, 1884;

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Franklin, in Simpson county;"

An act providing for the summoning and pay of jurors in the Bourbon Quarterly Court;

An act to incorporate the Camdensville and Johnsonville Turnpike Company;

An act to extend the Case Crowder and Etherington Turnpike Road from its present terminus at the end of the Tattletown pike to the Washington county line, at or near Goodlett's schoolhouse;

An act for the benefit of Farish Arnett, of Magoffin county;

An act to change the time of holding the County Court in Logan county;

An act to amend an act, entitled "An act to incorporate the Kentucky Paving and Contract Company;"

An act for the benefit of Estill Springs, in Estill county;

An act to exclude Muhlenberg county from the provisions of an act, entitled "An act for the protection and propagation of food-fishes in this Commonwealth," approved March 2, 1876;

An act to amend an act, entitled "An act to repeal the charter of the town of Uniontown, and all amendments thereto, and to re-incorporate the same by repealing the twenty-first section of said act;

An act to amend an act, entitled "An act to provide for working and keeping in repair the county roads of Campbell county," approved April 3, 1884;

An act to repeal an act, entitled "An act relative to the Henry, Oldham and Jefferson Turnpike Road Company," approved February 20, 1878, and the amendment thereto, approved May 5, 1880;

An act to establish a Police Court in the town of Crofton, Christian county, and repeal section (6) six of the charter of said town;

An act to recharter the town of Wingo, in Graves county;

An act to incorporate the Lexington, Nicholasville and Whitesburg Railroad Company;

An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county;"

An act for the benefit of E. H. C. Hill, of Bullitt county;

An act for the benefit of Robert Greenwell, of Bullitt county;

An act for the benefit of William Dawson, of Bullitt county;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the town of Nepton, in Fleming county;

An act to change the line dividing Hart from Larue county;

An act to incorporate the Deposit Bank of Sulphur;

An act to incorporate the New Harmony Club, of Louisville;

An act to amend an act, entitled "An act for the benefit of Mrs. Mattie Bennett, of Henry county;"

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Price reported that the committee had performed that duty.

On motion of Mr. D. H. Smith, the Senate then adjourned until Monday next, at 11 o'clock A. M.

MONDAY, MARCH 15, 1886.

The Journal of Saturday was read and approved.

On motion of Mr. Triplett, leave of absence, indefinitely, was granted Messrs. Kendall and McDanell.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate:

In response to your resolution of the 10th inst., requesting me to state in writing my reasons for not approving the report of the Commissioners on the claim of Newton Craig against the State, I have the honor to submit the following summary of the material facts in relation to the matter, from which the grounds of my action will perhaps be sufficiently apparent:

In the year 1844, while Mr. Craig and William Henry were Keepers of the Penitentiary, a fire occurred, by which a portion of the building and a considerable quantity of other property were destroyed.

In consequence of the loss resulting therefrom, there was a deficiency of $1,794.38 for that year and the year following, in the $5,000 which the Keepers had agreed to pay the Commonwealth annually, as her net profit from the Penitentiary, and the General Assembly, by an act, approved February 27, 1846, authorized the Commissioners of the Sinking Fund to allow the Keepers a credit for the amount of that deficit in their settlements for each of these years; and by the second section of the same act authorized the extension of the prison walls, not to exceed the cost of $4,731, and the erection of certain buildings not to exceed the cost of $3,500. By an act approved February 18, 1848, however, the Keepers were allowed $1,606.75 for extra work on those buildings.

On the sixth of March, 1854, an act providing for a settlement of the accounts of Mr. Craig as Keeper of the Penitentiary was approved, by the second section of which the Commissioners of the Sinking Fund were required to examine into settlements

theretofore made with him, and to ascertain if any mistakes had been made therein, and if so to correct them.

In pursuance of the provisions of this act, the Commissioners of the Sinking Fund on the twentieth of February, 1855, appointed Thomas B. Page and Austin P. Cox to make a full and complete examination of the accounts of Mr. Craig as Keeper of the Penitentiary, preparatory to a final settlement thereof.

Pending their examination in the winter of 1855–56, Mr. Craig put forward a claim that he had expended $10,288.10 in extending the prison wall, instead of the $4,731 authorized by the act of 1846, and the Legislature, by the act approved March 10, 1856, authorized and directed the Commissioners of the Sinking Fund to allow him a credit in their final settlement with him for the sum of $2,686.64. "Which sum," in the language of the act "is allowed to said Craig in full discharge of all claims either in law or equity, which he, the said Craig, may have against the Commonwealth growing out of his connection with the Penitentiary."

Thereafter, the auditors, Page and Cox, on the twenty-eighth of October, 1857, made their report to the Commissioners of the Sinking Fund, showing a balance due from Craig to the Commonwealth on the first of January, 1856, of $3,847.83. The Commissioners disallowed one item in the report by which Craig was credited with $750.30, thus increasing the balance against him to $4,598.15, from which they deducted the $2,686.66 with which they were authorized by the act of March 10, 1856, to credit him, thus reducing the balance to $1,911.49.

Thereupon Mr. Craig claimed a credit for losses sustained by him on the burning of the Penitentiary in 1844, which, being considered by the Commissioners was disallowed, and Mr. Craig asked time to consult his counsel, which was granted till the fourth of the ensuing November.

On that day Mr. Craig appeared before the Commissioners with his counsel, and a full discussion of the credit claimed was had, but the Commissioners adhered to their former opinion, and, to quote the language of their record, "at the request of Mr. Craig, proceeded to state the account against him fully as follows:"

Balance as stated at last meeting	$1,911 49
One-third of allowance to auditors	396 66
Amount due January 1, 1856	$2,288 15

The matter thus rested until November 10, 1858, when the Commissioners ordered that the claim against Mr. Craig, as above stated, should be placed in the hands of the Attorney-General for collection, which was done, and suits instituted thereon in the Franklin Circuit Court September 2, 1859.

On the twelfth of the following October Mr. Craig filed his answer, denying in general terms the accuracy of the settlement and the authority of the Commissioners of the Sinking Fund to state the account against him as alleged in the petition, and setting up several matters by way of counter-claims, substantially as follows:

First. That the Legislature had, by the act of March 6, 1854, (above referred to), authorized and directed the Commissioners of the Sinking Fund to correct all errors which might be found in any of the settlements which had taken place between the board and himself prior to that date; that in a settlement which had been made between them with regard to the stone wall built under authority of the act of the Legislature (I suppose the act of February 18, 1846, above referred to), a mistake of $1,600 had been made to his prejudice which the Commissioners had failed to correct.

Second. That the Commonwealth was liable for two-thirds and himself one-third of the loss occasioned by the fire in 1844, mentioned above; that the loss amounted to $4,600, the whole of which he had been left to pay.

Third. That he had put into the prison a new engine and boiler, which cost about $3,800, and that the Commissioners in settling with him therefor had deducted $750 from the cost price.

Fourth. That Governor Powell had authorized him, while Keeper of the Penitentiary, to purchase the right to make and use in six counties a patent hand loom, for which he paid $1,200, and that the Commonwealth was bound to take the same off his hands at that price; and

Fifth. That he was the owner of a patent hub machine, for which the Commissioners had agreed to allow him $100, and $25 a year for five years it had been used for the benefit of the Commonwealth. Summarized, the amounts claimed by him in his original answer were as follows:

1. Amount mistake in settlement of wall claim	$1,600 00
2. Two-thirds of $4,600 lost by fire	3,066 66⅔
3. Amount balance on engine and boiler	750 00
4. Amount for patent loom	1,200 00
5. Hub machines	225 00
Making in all	$6,841 66⅔

To the counter-claim thus set up the Attorney-General filed a reply for the Commonwealth denying each of the claims alleged. The Legislature, however, by an act approved February 18, 1860, authorized the court to submit the whole case to arbitrators, and directed the Auditor and Treasurer to pay Mr. Craig any judgment he might obtain as a result of the suit.

In pursuance thereof the Attorney-General for the Commonwealth selected as arbitrators Lysander Hord and Joseph Belt, and Mr. Craig chose George W. Craddock and William Johnson; and on the twenty-sixth of June, 1860, filed an amended answer in which he denied his liability for the sum charged against him by the Commissioners as his proportion of the amount paid Page and Cox for services in examining his accounts; claimed interest on the several sums set up in his original answer; and charged that the true amount lost by the fire in 1844 was $6,393.22, instead of $4,600 as he had originally stated, two-thirds of which he claimed should be paid to him, that is, $4,262.14⅔ instead of $3,066.66⅔, as he had formerly claimed, thus increasing the aggregate of his claims to $8,026.14⅔ instead of $6,841.66⅔ as above stated. To this amended petition a denial was interposed by way of reply, and the case as thus made up was submitted to the arbitrators who had, as already stated, full power to award to Mr. Craig whatever they might find due him on his counter-claim.

The arbitrators proceeded to hear the case, and being unable to agree, selected A. W. Dudley as umpire, who awarded to the Commonwealth the amount claimed in the petition ($2,288.15)

with interest thereon from the first day of March, 1856, subject to a credit of $500, as of March 1, 1856, and a further credit of $550, as of June 25, 1860, and that plaintiff recover his costs.

The arbitrators at the same time made an award as follows: "If it shall be the opinion of the court that three of the arbitrators can make an award in this case, then a majority of the arbitrators *do award as a final adjustment and settlement of the matters in dispute* that the suit be dismissed, and that each party pay the costs repectively expended by him herein."

Thereafter the Legislature by an act, approved April 4, 1861, declared that a majority of the arbitrators might decide the case, and accordingly on the fifteenth of the following October the court entered the following judgment: "The report of the arbitrators and their umpire having been filed herein, it is the opinion of the court, in view of the act of the General Assembly, approved April 4, 1861, that the award of a majority of the arbitrators is *binding and effectual.* It is, therefore, adjudged that said award be the judgment of this court, and that this suit be dismissed, each party paying their own costs."

That this was intended by the Legislature to be a final and complete settlement of the whole matter, there can be no doubt. To that end one General Assembly by special act (approved February 15, 1860) waived all technical advantages the Commonwealth may have had by authorizing the court to render judgment in favor of Mr. Craig for whatever might be found due him on his counter-claim, and directing that the case should be submitted to arbitrators, if he should prefer it; and a subsequent one, to remove all questions as to the proper construction of that act, declared (by the act approved April 4, 1861) "that it was and is the true intent and meaning of the aforesaid act that the award of a majority of the arbitrators therein provided for should, when made in accordance with the law, be binding and conclusive upon the parties to the action." That the arbitrators so understood it, is equally clear from their own unequivocal language declaring the award to be "as a *final* adjustment and settlement of the matters in dispute." That award was pronounced by the court to be "binding and effectual," and judgment rendered accordingly. From that judgment no appeal was ever taken, and no one will pretend that it was not a

complete bar to any further claim by either party growing out of the matters involved in the controversy.

It will not do to say that the hearing by the arbitrators was careless, inconsiderate or incomplete. The pleadings on both sides had been carefully prepared by lawyers who ranked among the ablest in the country. The claims set up by Mr. Craig were submitted under his own oath. All legal advantage to the Commonwealth had been removed by the Legislature and the parties placed on an equal footing. The arbitrators were distinguished in their day and among the community in which they lived for their integrity and business capacity. They had sworn "to decide the controversy according to law and evidence and the equity of the case, to the best of their judgment and without favor or affection." They fixed their time and place of meeting. The Commonwealth, by her Attorney-General, and Mr. Craig, in person, with his counsel, appeared before them, and, as the arbitrators state in their report, "all the evidence offered by both the parties was *fully* heard, and the law and evidence and equity of the case and the argument of counsel fully considered. Being divided in opinion, they selected Mr. Dudley as umpire, as I have already said, and he, too, according to the report, gave the matter a most careful consideration, hearing all the evidence, listening to the arguments of counsel, considering the law, and weighing well the equities of the whole case. Having done so, he made an award, as above shown, giving to the Commonwealth the entire amount claimed, with interest from the first of March, 1856, less the credits hereinbefore mentioned and costs against the defendant.

This award was filed in court on the eighteenth of February, 1861, and on the same day the four arbitrators filed their conditional award, that three of them were willing that the suit should be dismissed, the parties paying their own costs respectively, and if it should be adjudged legal, that should be taken as the award of the majority, "as a final adjustment and settlement of the matters in dispute." How the arbitrators were divided there is of course no means of ascertaining, but that this conditional award was a compromise favorable to Mr. Craig there can be no doubt. No action was taken, however, upon either award, until after the Legislature, by the act of April 4,

1861, had declared the award of the majority to be legal and "conclusive upon both parties." That this act was passed in the interest, if not at the instance, of Mr. Craig, is also certain, for it saved him from a judgment of over $1,800, and all the costs which the Commonwealth had expended in the suit.

This ought to have been, and between him and any other parties would unquestionably have been, a finality; but in 1868 Mr. Craig came forward with a claim that great injustice had been done him in the award and judgment against him, in that the arbitrators had failed to consider his claims against the Commonwealth, and particularly those growing out of the fire in 1844, and the extension of the prison walls.

That this plea should never have been considered at all is evident from the following facts:

First. Not only these two, but all other claims he had against the Commonwealth were fully set up in his answer in the suit of the Commonwealth against him, and were regularly referred to the arbitrators.

Second. The arbitrators were fully empowered to hear and determine them according to the evidence, law and equities of the case, and to award to him whatever sum they might find to be due him, however much it might exceed the amount of the claim of the State against him.

Third. They and the umpire chosen by them all took and subscribed an oath, in writing, which is of record, that they would do so without favor or affection, and

Fourth. Their report is of record, showing that they fully heard *all* the evidence offered by both parties and the argument of counsel, and maturely considered the same together with the law and equities of the case. Nothing was overlooked or left undone on either side if there is any verity in the record.

But again: As to the fire claim, it was pleaded by the Attorney-General that to indemnify Mr. Craig for any part of the loss by fire in 1844, for which the Commonwealth was supposed to be liable, the Legislature, by the act of twenty-seventh of February, 1846, had given him a rebate upon his obligation to the Commonwealth amounting to three thousand four hundred and eighty-eight dollars and seventy-six cents, or five hundred and thirty dollars more than the claim set up in his original answer

on that account; and it will be remembered, moreover, that this claim had been twice deliberately considered by Governor Morehead and his colleagues on the Board of Commissioners of the Sinking Fund, and twice rejected. And as to the wall claim, it will be borne in mind that Mr. Craig admits in his answer under oath that it had been *previously settled*, but claimed that in the settlement a mistake had been made to his prejudice of sixteen hundred dollars.

The Legislature, however, by an act approved February 22, 1870, appointed a Commission consisting of James A. Dawson, James M. Withrow, Fayette Hewitt, Morgan B. Chinn and Grant Green to ascertain and audit the claim of Mr. Craig for an alleged balance due him from the Commonwealth on an unsettled account.

Mr. Chinn died before the sitting of the Commission, and Mr. Dawson, very properly in my judgment, finding the whole matter conclusively settled by the adjudication of the Franklin Circuit Court, declined to concur in awarding the claimant any thing.

The other three Commissioners, however, proceeded to state the account as follows:

COMMONWEALTH OF KENTUCKY,

In account with N. Craig, late Agent and Keeper Kentucky Penitentiary.

For two-thirds of the loss sustained by burning, 30th August, 1844, as per report of Charles S. Waller, Clerk of Prison, and Cox and Page, Commissioners	$4,262 81	
Interest on $4,262 81 from 30th August, 1844, to 1st January, 1856	2,899 73	
Making		$7,162 54
From which amount deduct the balance due by Craig, as shown by the statement made by Cox and Page 1st January, 1856	$3,847 83	
Less the amount of the following items, which Craig sets up and admitted to be unpaid, to wit:		
Balance on hub machine of	$25 00	
Loom	1,200 00	
	1,225 00	
		2,622 83
Leaving		$4,539 71
Interest on $4,539 71 from 1st January, 1856, to 30th June, 1870, 14 years, 6 months		3,,949 55
Amount due on loss by burning after credit		$8,489 26

For building extension of Prison wall, viz:		
3,321 perch of solid masonry, at $3 per perch	$9,963 00	
150 perch loose stone on top of wall, at $1	150 00	
700 cubic yards of excavation in foundation, at 25 cents per cubic yard	175 00	
	$10,238 00	
Credit by amount paid Craig on wall	4,731 00	
	$5,557 00	
To interest on $5,557 from 1st March, 1847, to 30th June, 1870, 23 years, 4 months	7,779 00	
Amount due on wall		13,336 80
Total due		$21,826 06

From the foregoing it will be observed:

First. That the commissioners not only allowed the full amount claimed by Mr. Craig as the State's part of the loss by fire in 1844, with interest thereon from August 30, 1844, to January 1, 1856, without taking into the account any portion of the $3,588.76, remitted to him by the act of 1846, and pleaded by the Attorney General as a payment thereon, but that he was allowed and paid $138, as interest on interest from January 1, 1856, to June, 1870.

Second. That in stating the amount due from Mr. Craig, they disregarded the account as stated by the Commissioners of the Sinking Fund, on the fourth of November, 1856, and adopt the balance found due by Messrs. Cox & Page, thus allowing him credit by the item of $750, disallowed by the Commissioners and set up by Craig in his counter-claim, and also relieving him of the $396.66 charged against him as his portion of the amount paid for auditing his accounts; and also that he is credited with the full amount claimed for his patent loom, and the balance due on his hub machine.

Third. That he is allowed $5,557.00 on account of his wall claim, with interest thereon from March 1, 1847, to June 30, 1870, the interest alone amounting to $7,779, notwithstanding he admitted, in his answer in 1859, that it had been previously settled, and only claimed $1,600 to correct a mistake, which he alleged had been committed to his prejudice in the settlement; and

Fourth. That Mr. Craig was not only allowed by this Commission full credit for every thing he claimed in his answer to be due him, except two hundred dollars on his hub machine, but that they awarded him on the "wall claim" $3,957 more than he pretended to be entitled to for that item, and that he has received from the State Treasury $5,539.80, as interest upon that excess.

It is true the commission did not allow him a credit for the $2,686.38 as provided by the act of March 1, 1856, for two reasons, either of which is abundantly sufficient. *First.* As already stated it was offered to him as a compromise "in full discharge of all claims, either in law or equity, which he had against the Commonwealth growing out of his connection with the Penitentiary," and as he did not see proper to accept it on those terms he was not entitled to it at all; and *second*, because they allowed in full, and with interest, all the claims which that sum was intended to satisfy.

Under the award of this commission, Mr. Craig has received from the State Treasury $21,826.06, which, from the lights before me, I am constrained to believe was many thousands of dollars more than he was entitled to, although I am satisfied that he honestly thinks there is a balance yet due him, and yet in the face of these facts I have been called upon to approve a report which awards to him the further sum of $3,847.83, with interest thereon from January 1, 1856, amounting, on the first day of the present year, to $7,924.10, or the total sum of $11,-871.93.

Upon what possible hypothesis this award is made I confess I have been utterly unable to discover, although I have examined and re-examined this whole matter over and over again, that I might do exact justice to the claimant and the Commonwealth. The sum now claimed as due to Mr. Craig, with interest from the first day of January, 1856, is the exact amount, to a cent, found due *from* him to the Commonwealth on that day by the Auditors, Messrs. Page and Cox. What has changed the relations of debtor and creditor as they then existed? When Messrs. Page and Cox reported that balance against him he did not pretend to gainsay it.

He simply claimed that he should be allowed a certain amount

for what he considered the State's proportion of the loss by the fire of 1844, which the Commissioners refused. Only that and nothing more. It does not appear that he even thought of any other counter-claim. But granting that he had; granting that he had then brought forward every item that he afterwards set up in his answer by way of counter-claim; granting that the arbitrators, in violation of their oaths, did refuse or fail to consider any of them: they have all been allowed and fully paid with interest under the award of the Commissioners, appointed by the act of February 22, 1870, who simply deducted from Mr. Craig's claims the amount which Page and Cox had found due from him to the Commonwealth without even charging him a cent of interest thereon, and not a single item of which he ever presumed to controvert.

It will not do to say that the claim of the Commonwealth was barred by the award of the arbitrators and therefore could not be credited by the Commissioners upon the claims of Mr. Craig, for if that were true Mr. Craig's claims were barred for the same reason, for they were all submitted to the same arbitrament, and concluded by the same award. My reasons, therefore, for withholding my approval of the report referred to in your resolution were, that after a careful, laborious and impartial investigation of the whole matter, I was satisfied that if there were any errors in the award made by Messrs. Hewitt, Withrow and Green, they were against the Commonwealth and not to the prejudice of Mr. Craig, and that I was unable to find from the facts before me that the State owed him any thing. I am, very respectfully

J. PROCTOR KNOTT.

EXECUTIVE OFFICE, March 14, 1886.

On motion of Mr. Berry,

Ordered, That said message be printed and referred to the Committee on Claims.

Mr. Bush moved that a committee be appointed on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Franklin, in Simpson county."

Which was granted.

Whereupon the Speaker appointed Messrs. Bush and Dixon said committee.

After a short time Mr. Bush, from said committee, reported that the committee had performed that duty and handed said bill in at the Clerk's desk.

Mr. Bush moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

Mr. Bush moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Martin moved to lay said motion on the table.

And the question being taken thereon it was decided in the affirmative.

Bills of the following titles were reported from the several committees, who were directed to prepare and bring in the same, viz:

By Mr. Hill, from the Committee on Courts of Justice—

A bill declaring school district No. 1, in Butler county, including the corporate limits of the town of Rochester, a civil district within the meaning and intent of the local option law.

By same—

A bill to change the boundary line of Morgantown, in Butler county.

By Mr. Simon, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to incorporate the Grand Lodge of the Ancient Order of United Workmen."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Hill, from the Committee on Courts of Justice—

An act authorizing the County Court of Menifee county to issue bonds and provide for their payment for the purpose of building a jail.

By Mr. Ogilvie, from the Committee on Internal Improvements—

An act to amend section 99, of an act, entitled "An act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto," approved May 12, 1884.

By Mr. D. H. Smith, from the Committee on General Statutes—

An act providing a game law for Campbell county.

By same—

An act to amend the charter of the town of California, county of Campbell.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous or malt liquors in Glasgow Junction, in Barren county, and within one mile of the outside boundary of said town.

By Mr. D. H. Smith, from the Committee on General Statutes—

An act to regulate the allowance of county claims in the counties of Pike, Martin, Letcher and Knott.

By Mr. Martin, from the Committee on the Judiciary—

An act to repeal an act, entitled "An act in relation to Commissioners' sales in Nelson county," approved March 13, 1876.

By Mr. Frederick, from the Committee on Internal Improvements—

An act to authorize the Pike County Court to establish a ferry across Sandy river, just below the town of Pikeville.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Grundy--

1. A bill for the benefit of the Police Court of Springfield, in Washington county.

On motion of Mr. Ogilvie—

2. A bill to incorporate the Blandville Baptist Male and Female College, in Ballard county.

On motion of Mr. Bryan—

3. A bill, entitled "An act to incorporate the Cincinnati, Covington and Latonia Railway Company."

On motion of Mr. J. R. W. Smith—

4. A bill for the benefit of the Johnson Steel Street Railway Company and to increase its corporate powers.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Religion and Morals the 2d, and the Committee on Railroads the 3d and 4th.

On motion of Mr. D. H. Smith, the Senate then adjourned.

TUESDAY, MARCH 16, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to provide for the appointing and electing Commis-

sioners of the county of Pendleton, and defining their duties, etc.

An act to incorporate the Bowling Green and Northern Railroad Company.

That they had received official information that the Governor had approved and signed enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Blue-grass Hedge Company.

An act to incorporate the Paducah Savings and Deposit Bank.

An act for the benefit of J. M. Nesbitt, of Bath county.

An act to prohibit the sale of spirituous, vinous or malt liquors within four miles of Mount Union Church, General Baptists, in Allen county.

An act to incorporate the Anderson City and Fox Creek Turnpike Road Company.

An act to repeal section 4 of an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors in any quantity less than ten gallons in precinct No. 8, in Bourbon county," approved April 4, 1884.

An act to prevent the sale of spirituous, vinous and malt liquors in Rocky Hill Station, Edmonson county, and within one mile of the corporate limits of said town.

An act declaring Salt Lick creek, in Floyd and Knott counties, a navigable stream.

An act to repeal an act, entitled "An act to provide for the working of the public roads in the counties of Pulaski, Rockcastle and Laurel," approved May 9, 1884.

Resolution authorizing the appropriation of $50 to Robert Loomis, for services at the Back Capitol.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act redistricting the city of Newport, Campbell county, into magisterial districts.

An act to incorporate the American Accident Company.

An act to incorporate the Ruthenberg Automatic Fire Extinguishing and Assurance Company.

An act to authorize the Pendleton County Court to issue and

sell bonds and provide means of redeeming and regulating the manner of executing sale and disbursement of funds, etc.

With an amendment to the last-named bill.

That they had passed bills of the following titles, viz:

An act to appoint an Inspector of Scales and Assistant Weigher at coal mines in this State.

An act to amend an act, entitled "An act for the benefit of licensed keepers of stud-horses, jacks and bulls of this Commonwealth, so far as the same applies to Warren county."

An act to amend section 20, chapter 42, title "Ferries," so far as the same applies to Warren county.

An act to regulate the terms and times of the holding of the Circuit Courts in the Thirteenth Judicial District.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d and 3d to the Committee on Propositions and Grievances, and the 4th to the Committee on the Judiciary.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of the Frankfort Water Company, of Frankfort, Kentucky.

An act to amend the charter of the city of Covington.

An act for the benefit of the Bourbon County Agricultural and Mechanical Association.

An act to amend an act, entitled "An act to incorporate the Farmers' Deposit Bank, of Cynthiana," approved March 26, 1884.

An act to authorize the Owen County Court to issue bonds and levy a tax for turnpike purposes.

An act to amend an act, approved April 17, 1882, entitled "An act to authorize the construction and maintenance of a court-house in Newport, in Campbell county, and to increase the powers and duties of the Commissioners of the said district."

An act to amend an act, entitled "An act to incorporate the North Middletown Deposit Bank," approved March 15, 1869.

An act to incorporate the Henderson Trust Company.

An act to amend an act, entitled "An act to incorporate the Washington County Railroad District, and to define the powers, duties and privileges of the same," approved March 12, 1884.

An act to consolidate and reduce into one the several acts in relation to the town of Taylorsville.

The joint committee of conference appointed to take into consideration the disagreement of the House in regard to an amendment adopted by the House of Representatives to a resolution which originated in the Senate, entitled

Resolution raising committee to investigate book of accounts of Geologist,

Submitted the following report, viz:

To the General Assembly of Kentucky:

Your undersigned joint conference committees on Senate resolution to raise a joint committee to investigate the affairs of the Geological department, beg leave to make the following report, to wit:

We recommend that the House of Representatives recede from its action in amending the said resolution, and the Speaker of Senate appoint a committee consisting of three to act in conjunction with House committee on Geological Survey.

J. T. SIMON,
R. G. HAYS,
Senate Committee.
I. A. SPALDING,
P. A. CLINE,
House Committee.

Mr. Martin moved that the report be adopted and the committee discharged.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hays read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That it shall be, and is hereby made, the duty of the State Librarian to cause the large room in the second story of the building known as public offices in the city of Frankfort to be finished in such style and under such contract or contracts as may be approved by the Governor: *Provided, however*, that the entire cost thereof shall not exceed the sum of $3,000.

Which, under the rule, lies over one day.

Mr. Hill read and laid on the table the following joint resolution, viz:

WHEREAS, The present Superintendent of Public Instruction has been in office six years and a half and has submitted but one report of the condition, progress and prospects of the common schools; and whereas, the law in force since his incumbency of the office of Superintendent till last session of the General Assembly required him to make annual report, and by act of last session he is required to report biennially on or before the meeting of the General Assembly the condition, progress and prospects of the common schools, the amount and condition of the school fund, how its revenue for the two previous school years has been distributed, etc., etc.; and whereas, no such report has been submitted to this General Assembly; now, therefore, be it

Resolved, That the Superintendent of Public Instruction be, and is hereby, requested to furnish to this General Assembly, if not inconsistent with public service, his reasons for not submitting his biennial report.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

The Senate took up for consideration the motion heretofore entered by Mr. Bryan to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Grandale Trotting Association," approved May 10, 1884.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Bryan,

Ordered, That said bill be recommitted to the Committee on the Judiciary.

The Senate took up for consideration the motion heretofore entered by Mr. Taulbee to reconsider the vote by which the Senate had passed a bill, entitled

An act to create the Nineteenth Circuit Court Judicial District, and provide for the holding of courts therein.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

[*For bill, see Senate Journal, March 11th.*]

Mr. Taulbee proposed the following amendment as a substitute for said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Nineteenth Circuit Court Judicial District be, and the same is hereby, established, to be composed of the counties of Estill, Powell, Lee, Clay, Perry, Letcher, Knott and Breathitt.

§ 2. That a term of the Circuit Court shall be held at the court-house in each of the said counties, commencing at the time herein specified and continue the number of days allotted to each term, if the business requires it, viz:

In Estill county on the first Mondays in September and March, and continue twelve juridical days each.

In the county of Powell on the third Mondays of September and March, and continue six juridical days each.

In the county of Lee on the fourth Mondays in September and March, and continue twelve juridical days each.

In the county of Clay on the second Mondays in October and April, and continue eighteen juridical days each.

In the county of Perry on the first Mondays in October and April, and continue twelve juridical days each.

In the county of Letcher on the third Mondays in November and May, and continue eighteen juridical days each.

In the county of Knott on the second Mondays in December and June, and continue twelve juridical days each.

In the county of Breathitt on the fourth Mondays in December and June, and continue twelve juridical days each.

§ 3. A Circuit Judge and a Commonwealth's Attorney shall be elected in said judicial district on the first Monday in August, 1886, in the same manner as other Judges and Commonwealth's Attorneys are elected, who shall hold their offices until

their successors are elected and qualified, and at the same time and manner every sixth year thereafter.

§ 4. This act shall take effect and be in force from and after the first day of July, 1886.

And the question being taken on the adoption of said amendment as a substitute, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	F. D. Rigney,
A. S. Berry,	G. G. Gilbert,	J. T. Simon,
J. W. Bryan,	T. S. Grundy,	D. H. Smith,
W. W. Bush,	J. D. Harris,	J. R. W. Smith,
A. R. Byers,	R. G. Hays,	W. H. Taulbee,
W. J. Caudill,	S. E. Hill,	R. S. Triplett,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
W. M. Cravens,	J. W. Ogilvie,	Robert Walker—26.
Henry Dixon,	J. N. Price,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. Berry,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the Senate, entitled

An act to repeal an act, entitled "An act to fix and define the costs to be taxed in Mayor's Court of Newport."

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Berry moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Berry proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to establish a Superior Court, and to regulate the same," approved April 22, 1882.

[*For bill, see Senate Journal of February 24th.*]

Said amendment reads as follows, viz:

Amend by adding as an additional section the words: "That the fifth section of the said act of April 22, 1882, be, and the same is hereby, amended by striking out the words one 'thousand' wherever they occur in the fifth and sixth lines of said section 5, and inserting in lieu thereof the words 'two thousand,' provided that the same officers who wait upon and attend the Court of Appeals shall wait upon the Superior Court without any additional compensation for such services."

Mr. J. R. W. Smith moved to recommit said bill and amendment to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Alford, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	F. D. Rigney,	R. S. Triplett,
W. W. Bush,	J. R. W. Smith,	Robert Walker—8.
A. R. Byers,	W. H. Taulbee,	

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	L. M. Martin,
J. W. Bryan,	G. G. Gilbert,	J. W. Ogilvie,
W. M. Cravens,	T. S. Grundy,	J. N. Price,
W. J. Caudill,	J. D. Harris,	E. L. Worthington,
C. M. Clay, Jr.,	S. E. Hill,	J. T. Simon—16.
Henry Dixon,		

Mr. D. H. Smith moved to amend said amendment as follows, viz:

Amend the House amendment by striking out the word "two" and inserting the word "five."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. D. H. Smith moved to amend said amendment as follows, viz:

Amend House amendment by striking out "two thousand" and inserting in lieu thereof "five hundred."

Mr. J. R. W. Smith moved to postpone the further consideration of said bill and proposed amendments until Tuesday next, March 23d, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	F. D. Rigney,	W. H. Taulbee,
W. W. Bush,	D. H. Smith,	R. S. Triplett,
A. R. Byers,	J. R. W. Smith,	Robert Walker—10.
W. H. Frederick,		

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	L. M. Martin,
A. S. Berry,	G. G. Gilbert,	J. W. Ogilvie,
J. W. Bryan,	T. S. Grundy,	J. N. Price,
W. J. Caudill,	J. D. Harris,	E. L. Worthington,
C. M. Clay, Jr.,	R. G. Hays,	J. T. Simon—17.
W. M. Cravens,	S. E. Hill,	

Mr. D. H. Smith moved to recommit said bill and proposed amendments to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

Mr. D. H. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles, J. R. W. Smith, Robert Walker—4.
D. H. Smith,

Those who voted in the negative, were—

M. C. Alford, Henry Dixon, J. W. Ogilvie,
A. S. Berry, W. H. Frederick, J. N. Price,
J. W. Bryan, G. G. Gilbert, F. D. Rigney,
W. W. Bush, T. S. Grundy, J. T. Simon,
A. R. Byers, J. D. Harris, W. H. Taulbee,
W. J. Caudill, R. G. Hays, E. L. Worthington,
C. M. Clay, Jr., S. E. Hill, R. S. Triplett—23.
W. M. Cravens, L. M. Martin,

Mr. Clay moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, W. H. Frederick, J. W. Ogilvie,
J. W. Bryan, G. G. Gilbert, J. N. Price,
W. W. Bush, T. S. Grundy, J. T. Simon,
A. R. Byers, J. D. Harris, D. H. Smith,
W. J. Caudill, R. G. Hays, W. H. Taulbee,
C. M. Clay, Jr., S. E. Hill, E. L. Worthington,
W. M. Cravens, L. M. Martin, R. S. Triplett—22.
Henry Dixon,

Those who voted in the negative, were—

S. H. Boles, J. R. W. Smith, Robert Walker—3.

Mr. D. H. Smith moved to reconsider the vote by which the previous question was ordered.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles, A. R. Byers, J. R. W. Smith,
J. W. Bryan, F. D. Rigney, Robert Walker—6.

Those who voted in the negative, were—

M. C. Alford,	G. G. Gilbert,	J. W. Ogilvie,
W. W. Bush,	T. S. Grundy,	J. N. Price,
W. J. Caudill,	J. D. Harris,	J. T. Simon,
C. M. Clay, Jr.,	R. G. Hays,	W. H. Taulbee,
W. M. Cravens,	S. E. Hill,	E. L. Worthington,
Henry Dixon,	L. M. Martin,	R. S. Triplett—20.
W. H. Frederick,	W. F. Neat,	

The question was then taken on the second amendment proposed by Mr. D. H. Smith to the amendment adopted by the House of Representatives to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	R. G. Hays,	J. R. W. Smith,
W. W. Bush,	J. N. Price,	W. H. Taulbee,
A. R. Byers,	F. D. Rigney,	R. S. Triplett,
W. J. Caudill,	D. H. Smith,	Robert Walker—12.

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	S. E. Hill,
A. S. Berry,	W. H. Frederick,	L. M. Martin,
J. W. Bryan,	G. G. Gilbert,	J. W. Ogilvie,
C. M. Clay, Jr.,	T. S. Grundy,	E. L. Worthington,
W. M. Cravens,	J. D. Harris,	J. T. Simon—15.

The question was then taken on concurring in the amendment adopted by the House of Representatives to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	Henry Dixon,	L. M. Martin,
A. S. Berry,	W. H. Frederick,	J. W. Ogilvie,
J. W. Bryan,	G. G. Gilbert,	J. N. Price,
W. W. Bush,	J. D. Harris,	E. L. Worthington,
C. M. Clay, Jr.,	R. G. Hays,	J. T. Simon—17.
W. M. Cravens,	S. E. Hill,	

Those who voted in the negative, were—

S. H. Boles,	F. D. Rigney,	W. H. Taulbee,
A. R. Byers,	D. H. Smith,	R. S. Triplett,
W. J. Caudill,	J. R. W. Smith,	Robert Walker—10.
T. S. Grundy,		

Mr. Martin moved to reconsider the vote by which the Senate had concurred in the adoption of said amendment.

Mr. Simon moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Caudill, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to recharter the town of Mount Vernon, Rockcastle county;

An act to amend an act, entitled "An act to amend the charter of Jamestown, in Russell county;"

An act for the benefit of P. A. Cline, late Sheriff of Pike county;

An act fixing the fees of Justices of the Peace of Carter county for attending the County Courts of said county;

An act for the benefit of the Cabin Creek, Sand Hill and Manchester Branch Road Pike Company, of Lewis county;

An act to amend the charter of the city of Augusta, in Bracken county;

An act to incorporate Star Lodge, No. 19, Knights of Pythias, of Owensboro;

An act to enable Theodore L. Harrison to act as Deputy Clerk of the Carroll County Court;

An act for the benefit of the Trustees of Funk Seminary, Lagrange, Oldham county;

An act to amend an act, entitled "An act to incorporate the Kentucky and Louisville Mutual Insurance Company;"

An act to incorporate the McClure and Alton Turnpike Road Company, in Anderson county;

An act to incorporate the Security, Trust and Safety Vault Company, of Lexington;

An act to amend an act, entitled "An act to charter the town of Rowletts, in Hart county," approved April 6, 1882;

An act to amend an act, entitled "An act to incorporate the Poplar Flat, Indian River and Salt Lick Turnpike Road Company, in Lewis county;"

An act for the benefit of common school district No. 1, white, in Fleming county;

An act to amend the charter of the South Kentucky Railroad Company;

An act for the benefit of Knott county;

An act for the benefit of common school district No. 50, in Union county;

An act to amend an act, entitled "An act to incorporate the Ohio Valley Railroad and Mining Company," approved April 20, 1882;

An act to repeal an act authorizing the Pike County Court of Claims to allow the Sheriff of Pike county not to exceed $100 for waiting on the courts of said county, approved April 27, 1880;

An act to amend an act, entitled "An act for the benefit of common school district No. 25, in Oldham county," approved April 25, 1882;

An act to incorporate and establish a public school for colored people in the town of Elkton, and within a radius of three miles of the court-house in said town;

An act to incorporate the town of DeKoven, in Union county;

An act to amend an act, entitled "An act amending the charter of the district of Highlands, in Campbell county," approved April 10, 1884, being chapter 699, Session Acts of Kentucky Legislature, 1883-84;

An act to amend an act, entitled "An act to regulate the working and laying out of public roads in Russell county," approved May 12, 1884;

An act to amend an act, entitled "An act to incorporate the Russellville Banking and Warehouse Company;"

An act to incorporate the Bank of Calhoon;

An act regulating the jurisdiction of the Police Judge and Marshal of the town of Independence;

An act to repeal an act, entitled "An act to incorporate the town of Airdrie;"

An act to enlarge the boundaries of the town of Crofton,

in Christian county, and to repeal section two (2) of the charter of said town ;

An act to amend the charter of the town of Bremen, in Muhlenberg county ;

An act to divide Hurricane precinct, in Crittenden county, into two voting precincts ;

An act to incorporate the Owensboro Trust Company, of Owensboro ;

An act to incorporate the Hopkins County Fair Company ;

An act to amend an act, entitled "An act to incorporate the town of East Bernstadt, in Laurel county ;"

An act to repeal an act, entitled "An act to incorporate the town of Woodstock, in Pulaski county," approved April 22, 1884 ;

An act to amend an act, entitled "An act to authorize the County Court of Warren county to subscribe stock to turnpike roads in said county ;"

An act to provide for the election of town officers of Jeffersontown, in Jefferson county, for the year 1886 ;

An act to incorporate the People's Loan and Trust Company, of Russellville ;

An act relating to taxes in the county of Daviess where lands have been or may hereafter be sold therefor and bought by it, authorizing it to resell such lands and when it may purchase the same, to empower it to recover, hold and dispose of the same, and authorizing the appointment of a collector of such taxes ;

An act to incorporate the Irvin and Vienna Turnpike Road Company ;

And enrolled bills which originated in the Senate of the following titles, viz :

An act to authorize the Harrison County Court to build a bridge across South Licking river, and to levy an ad valorem tax to pay for the same ;

An act to amend an act, entitled "An act to regulate the mode of returning and the collection of the delinquent and insolvent taxes of Crittenden county," approved April 30, 1884 ;

An act to repeal chapter 1259, of the Session Acts of 1881-2,

entitled "An act to define the jurisdiction of courts of Justices of the Peace in the county of Spencer;"

An act to regulate the civil jurisdiction of the Quarterly Courts of Mason, Shelby and Spencer counties;

An act fixing the fees of Justices of the Peace for the county of Calloway, for holding levy courts, etc., for the said county;

An act to provide for the funding and payment of the debts of Harrison county;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Caudill reported that the committee had performed that duty.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Hill, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to amend and reduce into one the various acts in regard to the town of Whitesville, in Daviess county," approved April 16, 1882.

By Mr. Harris, from the Committee on Internal Improvements—

An act to amend the charter of the town of Somerset.

By Mr. Martin, from the Committee on the Judiciary—

An act to amend the charter of the city of Carlisle, in Nicholas county.

By same—

An act for the benefit of the Carlisle and East Union Turnpike Road Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Berry, from the Committee on Education—

A bill to amend an act, entitled "An act to incorporate and establish a system of public schools in the town of Elkton, and within a radius of three miles of the court-house in said town," approved February 23, 1886.

By Mr. Ogilvie, from the Committee on Internal Improvements—

A bill to amend an act, entitled "An act to incorporate the Columbus Manufacturing Company," approved March 18, 1878.

By Mr. Caudill, from the same committee—

A bill to incorporate the town of Hindman, in Knott county.

By Mr. D. H. Smith, from the Committee on General Statutes—

A bill to amend chapter 799, of the Local and Private Acts, 1869–70.

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill to incorporate the Blandville Baptist Male and Female College, in Ballard county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Simon, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of Amelia W. Riddle, of Madison county,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Boles moved that the Senate do now adjourn.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Triplett, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	J. D. Harris,	J. R. W. Smith,
W. H. Frederick,	J. T. Simon,	R. S. Triplett—6.

Those who voted in the negative, were—

A. S. Berry,	G. G. Gilbert,	F. D. Rigney,
W. W. Bush,	T. S. Grundy,	W. H. Taulbee,
A. R. Byers,	S. E. Hill,	E. L. Worthington,
W. J. Caudill,	L. M. Martin,	J. N. Price—14.
C. M. Clay, Jr.,	J. W. Ogilvie,	

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Citizens' Bank.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration the motion heretofore entered by Mr. Hays to reconsider the vote by which the Senate had rejected a bill, entitled

An act to appropriate money to be applied to the procurement, by purchase or otherwise, of a permanent Home for the Friendless and Fallen Women of Kentucky.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Hays,

Ordered, That said bill be recommitted to the Committee on Charitable Institutions.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Caudill—

1. A bill to incorporate the town of Hindman, in Knott county.

On motion of same—

2. A bill to charter the Clay County High School.

On motion of same—

3. A bill declaring Red Bird a navigable stream from Murphy's Salt Furnace to mouth of Phillip's Fork.

On motion of Mr. Bryan—

4. A bill to establish the Dinmore Park Springs Company.

On motion of Mr. Alford—

5. A bill for the benefit of the family of George Cassell, deceased.

On motion of same—

6. A bill to amend the charter of the Mechanics' Building and Loan Association, of Lexington.

On motion of Mr. Berry—

7. A bill to amend an act, entitled "An act to incorporate the Dayton and Ohio River Turnpike Company, in Campbell county," approved April 4, 1884.

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st, 2d, 3d and 4th; the Committee on Claims the 5th; the Committee on Banks and Insurance the 6th, and the Committee on Courts of Justice the 7th.

On motion of Mr. Bush the Senate then adjourned.

WEDNESDAY, MARCH 17, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the Senate, of the following titles, viz:

An act to incorporate Coalton Lodge, No. 229, Independent Order of Odd Fellows at Coalton, in Boyd county.

An act to incorporate the Louisville Savings Investment Association.

An act to incorporate the Spencer Cemetery Company.

An act to amend the charter of the city of Louisville.

An act to amend an act incorporating the James H. Hall Eagle Plow Company," approved January 24, 1878.

An act to amend the charter of St. Paul's Church, in Henderson.

An act to incorporate the Cumberland River Baptist Church, at Barbourville, Knox county, and for the protection of same from injury.

An act to incorporate the Procter Coal Company.

An act to amend section 5, of article 6, of the charter of the city of Ashland.

An act to incorporate the Consolidated Lodge, Grand United Order of Odd Fellows.

An act to incorporate the Union Gospel Mission, of Louisville, Kentucky.

An act to amend the charter of DeKalb Lodge, No. 12, Independent Order of Odd Fellows, of Maysville.

An act to amend an act, entitled "An act to amend and reduce into one the acts to incorporate the town of Louisa."

An act for the benefit of W. C. Comstock, lessee of the Mammoth Cave Hotel, in Edmonson county.

An act to incorporate the Ashland Building and Savings Association, of Lexington.

With amendments to the two last-named bills.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Madison Club, of Richmond, Kentucky.

2. An act to repeal an act, entitled "An act to amend sections 1 and 3, of an act, entitled 'An act to amend and reduce into one the various acts in regard to Bardstown,'" approved April 19, 1884.

3. An act to incorporate the Louisville Cemetery Association.

4. An act to prohibit the manufacture or sale of spirituous, vinous and malt liquors within two miles of the school-house in district No. 54, in Barren county.

5. An act to incorporate the Ford Lumber and Manufacturing Company.

6. An act to establish two terms of the Fleming Circuit Court.

7. An act to incorporate the Kentucky Water-works Construction Company.

8. An act to incorporate the Richmond Natural Gas Light, Motive Power and Fuel Company.

9. An act incorporating the Boys' Home Society, of Louisville.

10. An act to amend an act, entitled "An act to establish and incorporate South Covington district, in Kenton county," approved May 12, 1884.

11. An act to repeal an act, entitled "An act to amend the charter of the town of Cave City, in Barren county," approved May 8, 1884.

12. An act to incorporate the Kentucky Rock Oil Company.

13. An act to amend an act, entitled "An act to incorporate the Drennon Springs Company, in Henry county," approved April 4, 1884.

14. An act to repeal an act, entitled "An act to amend section 710, of the Civil Code of Practice," approved February 21, 1884, so far as the same applies to the county of Bath.

15. An act to amend an act, entitled "An act to incorporate the Grand Lodge of the United Brothers of Friendship of the State of Kentucky."

16. An act to incorporate the Commonwealth Coal, Iron and Manufacturing Company.

17. An act to incorporate Midway Pilgrim Lodge, No. 1,943, Grand United Order of Odd Fellows.

18. An act to charter the Supreme Lodge Colored Brotherhood of Honor.

19. An act to incorporate the Bowling Green and Stallard Springs Telephone Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 7th, 8th, 12th and 16th to the Committee on Internal Improvements; the 2d and 10th to the Committee on the Judiciary; the 4th to the Committee on Religion and Morals; the 5th and 19th to the Committee on Agriculture and Manufactures; the 6th to the Committee on Courts of Justice; the 11th and 14th to the Committee on Codes of Practice; the 9th to the Committee on Finance; the 13th to the Committee on Propositions and Grievances; the 15th to the Com

mittee on Charitable Institutions, and the 17th to the Committee on Immigration and Labor.

And the 3d and 19th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Hill, from the Committee on Courts of Justice—

A bill for the benefit of the McHenry Coal Company, in Ohio county.

By Mr. Harris, from the Committee on Internal Improvements—

A bill, entitled "An act to amend the charter of the Silver Creek Turnpike Company, in Madison county."

By Mr. Caudill, from the same committee—

A bill to authorize Perry county to issue bonds for building court-house and jail.

By same—

A bill to amend an act, entitled "An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, Pike county."

By same—

A bill to make Red Bird a navigable stream, in Clay county.

By same, from the Committee on Education—

A bill to charter the Clay County High School Company.

By Mr. D. H. Smith, from the Committee on General Statutes—

A bill to amend the charter of the town of Shelbyville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 17, 1886.

Gentlemen of the Senate:

My attention having been called to the fact that there was a clerical error in the message I had the honor to transmit to you on the twelfth inst., in which the name of Dr. McReynolds was given as W. O. McReynolds instead of J. O. McReynolds, which is the true name and the one intended to be presented. I, therefore, renominate and will, by and with your advice and consent, appoint Dr. J. O. McReynolds, of Todd county, as a member of the State Board of Health.

Respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nomination.

Mr. Taulbee moved to suspend the rules and take up for consideration a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization," approved May 10, 1884.

And the question being taken thereon, it was decided in the negative.

Mr. Caudill, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, viz:

An act in relation to infectious and contagious diseases of cattle;

An act to incorporate the Ruthenburg Automatic Fire Extinguisher and Assurance Company;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signa-

ture thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Caudill reported that the committee had performed that duty.

Mr. Boles presented a petition of sundry citizens of Glasgow Junction, Barren county, remonstrating against the repeal of an act regulating the sale of spirituous, vinous and malt liquors in and near said town.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

The Senate took up for consideration a resolution, entitled

Resolution in relation to finishing room in building known as Public Offices, in city of Frankfort.

On motion of Mr. Hays,

Ordered, That said resolution be referred to the Committee on Library, Public Buildings and Offices.

Mr. Harris, from the Committee on Internal Improvements, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act to provide for rebuilding the State bridge at Rio, on Green river, in Hart county," approved May 12, 1884,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to provide for rebuilding the State bridge at Rio on Green river, in Hart county," approved May 12, 1884, be, and the same is hereby, amended as follows, viz: That section 1 of said act be, and the same is hereby, amended by striking out the words "$6,000" where they occur in said section, and inserting in lieu thereof the words "$7,300."

§ 2. That section 2 of said act be, and the same is hereby, amended by striking therefrom the words "$3,000" where they occur therein, and inserting in lieu thereof the words "$3,500:"

Provided, That the additional $500 hereby subscribed to the capital stock of said Rio Bridge Company shall be paid out of the dividends that may accrue from time to time on the stock now owned by the State in said company, and in no other manner whatever, and the president and directors of said company are hereby authorized and directed to retain the money that may from time to time become due to the State as its share of the net earnings of said company, based upon its present amount of stock therein, until said dividends or shares of net earnings shall fully pay said $500 additional subscription to said capital stock, and the president of said company shall, in his semi-annual statements of receipts and expenditures, account for and receipt to the Auditor of Public Accounts for all such amounts retained by him to pay said subscription of $500.

§ 3. That section 4 of said act be, and the same is hereby, amended by striking therefrom the words "five directors" where they occur therein, and inserting in lieu thereof the words "two directors."

§ 4. That all of section 6, between the word "at" at the end of fifth line thereof, and the word "provided" is hereby stricken from said section, and in lieu thereof the following words are hereby inserted, to wit: "Not exceeding the following rates, viz: For each footman, five cents; each horse and rider, ten cents; each head of hogs, sheep or goats, two cents; each one-horse buggy and horse attached, twenty cents; each two-horse buggy or wagon with two horses attached, forty cents; each wagon with three horses attached, forty-five cents; each wagon with four horses attached, fifty cents; each wagon with five horses attached, fifty-five cents, and each wagon with six horses attached, sixty-five cents.

§ 5. That section 10 of said act be, and the same is hereby, amended so that the receipts of said company for tolls, after paying expenses and cost as therein provided, shall be divided and paid to the stockholders and the State according to their respective shares of stock held in said company: *Provided*, That the money due the State on its stock from time to time shall be applied to the payment of the increased subscription herein provided for until the same is fully paid.

§ 6. If any person or persons shall by force or artifice effect a passage over said bridge for the purpose of avoiding payment of the toll fixed herein, he or they shall, on conviction thereof before any Justice of the Peace of Hart county, be fined $5 and cost.

§ 7. If any person shall ride or drive over said bridge at a greater speed than a horse walks he shall be guilty of a misdemeanor, and, on conviction thereof before any Justice of the Peace of Hart county, shall be fined $5 and cost.

§ 8. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Hays, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	F. D. Rigney,
M. C. Alford,	W. H. Frederick,	D. H. Smith,
S. H. Boles,	T. S. Grundy,	J. R. W. Smith,
W. W. Bush,	J. D. Harris,	W. H. Taulbee,
A. R. Byers,	R. G. Hays,	R. S. Triplett,
W. J. Caudill,	S. E. Hill,	E. L. Worthington,
W. M. Cravens,	J. W. Ogilvie,	J. N. Price—22.
Henry Dixon,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Price, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of J. Edward Gailbreath,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, In the year 1881, Thomas Green, editor, sued Thomas F. Hargis for libel in the Jefferson County Common Pleas Court, Judge Stites, presiding. The trial was a long one, continuing one hundred and one days. Much proof, both written and oral, was heard on both sides, and many speeches were made *pro* and *con*, making the investigation one of unusual length. S. S. Hamilton was then Sheriff of Jefferson county, and directed one of his deputies, J. Edward Gailbreath, to wait upon the court during the trial, which service he continued to perform from the commencement to the ending of the trial, giving his whole time to the special duties imposed upon him; being unable to do any other business as Sheriff, being poor and depending solely on his deputyship for a living. For the performance of the above-described services he never received a copper,

there being no law to authorize compensation for such service. Therefore he appeals to the General Assembly for compensation. To the end, therefore, that justice may be done him,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasury for $100 in favor of J. Edward Gailbreath, for the services rendered as above described in this act.

§ 2. This act to be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and Simon, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	F. D. Rigney,
A. S. Berry,	J. D. Harris,	D. H. Smith,
W. W. Bush,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	S. E. Hill,	E. R. Sparks,
W. J. Caudill,	J. W. Ogilvie,	R. S. Triplett—16.
W. H. Frederick,		

Those who voted in the negative, were—

R. T. Albritton,	E. L. Worthington,	W. H. Taulbee—4.
S. H. Boles,		

Resolved, That the title of said bill be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Caudill—

1. A bill to incorporate the London and Whitesburg Telephone Company.

On motion of Mr. Hill—

2. A bill for the benefit of the McHenry Coal Company.

On motion of Mr. Berry—

3. A bill to amend the charter of the South Covington and Cincinnati Street Railway Company.

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st; the Committee on Courts of Justice the 2d, and the Committee on Railroads the 3d

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to regulate the terms and times of the holding of the Circuit Courts in the Thirteenth Judicial District,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend the charter of the city of Maysville.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Byers, from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill, entitled

A bill to change the time of making annual reports of certain officers,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Gilbert,

Ordered, That said bill be recommitted to the same committee.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to empower Logan county to retire the bonds of said county, to create a sinking fund, to provide for commission of same, and to provide for the collection of taxes for that purpose in said county,

Reported the same with the expression of opinion that said bill ought not to pass.

By unanimous consent, said bill was placed in the orders of the day.

Mr. Harris, from the Committee on Internal Improvements,

to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to empower the County Court of Pendleton county to make subscription to the capital stock of turnpike roads in said county," approved March 15, 1878,

Reported the same without amendment.

Mr. Simon proposed an amendment as a substitute for said bill.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Caudill, from the Committee on Internal Improvements, to whom was referred leave to bring in a bill, entitled

A bill providing for the adoption and use of trade-marks for timber dealers, and to regulate the fees for taking up floating timber, staves, railroad ties, etc., and prescribing the manner of collecting the same on Big Sandy and Ohio rivers,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Gilbert,

Ordered, That the further consideration of said bill be postponed, and said bill be made the special order of the day for Friday next, March 19th, at 11 o'clock A. M., and from day to day until disposed of.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act regulating the exemption of personal property from execution, attachment, distress for rent and fee bills, in this Commonwealth.

On motion of Mr. J. R. W. Smith,

Ordered, That said bill be referred to the Committee on General Statutes.

Mr. D. H. Smith, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend chapter 94, General Statutes,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Gilbert objected to the further reading of said bill on this day.

So the same fell into the orders of the day.

The Senate took up for consideration a resolution heretofore proposed by Mr. Martin which reads as follows, viz:

Resolved by the Senate, That it shall be the duty of the Speaker, immediately after the reading of the Journal of each day, to order a call of the roll, and the absentees without leave shall be noted of record.

Mr. Clay moved to lay said resolution on the table.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Simon and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. R. W. Smith,
A. S. Berry,	J. N. Price,	E. R. Sparks,
C. M. Clay, Jr.,	F. D. Rigney,	Robert Walker—10.
W. M. Cravens,		

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	J. W. Ogilvie,
S. H. Boles,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	J. D. Harris,	D. H. Smith,
A. R. Byers,	R. G. Hays,	W. H. Taulbee,
W. J. Caudill,	S. E. Hill,	E. L. Worthington,
John Feland,	L. M. Martin,	R. S. Triplett—18.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The Speaker laid before the Senate the following communication, viz:

JELLICO, KY., March 15, 1886.

To the Senate of Kentucky:

The following preamble and resolutions were unanimously adopted by a large mass-meeting of citizens and coal miners of this section at Jellico, Kentucky, on the 13th inst., and a copy was ordered to be transmitted to your honorable body:

We are assembled here in accordance with a call for a mass-meeting of the miners of the East Tennessee Coal Company's mines, the Standard Coal Company's mines, and the Woolridge mines at Newcombe, and the miners of Coal Creek, and the miners of East Bernstadt, and those at Altamont, in conjunction with their brethren of the Main Jellico Mountain Coal Company's mines, and the citizens of Whitley county, Kentucky, and of Campbell county, Tennessee, to take whatever action with regard to the employment of convicts at the Main Jellico Mountain Coal Company's mines at Kensee and other mines in Kentucky and Tennessee as to us seemed best to our interest; and

WHEREAS, The employment of convicts is inimical and detrimental to the interests of both the coal miner and the coal operator in this: That mining coal is a trade, and requires experience; unskilled, impractical convicts supplant and take the place of skilled and practical miners, thus forcing the miner to break up his home, move his family to another place, and he seek employment at some other trade new to him, or else apply for work at another mine which pays less for mining coal, because it has to compete with coal mined by cheap convict labor. It is against the interest of coal operators that convicts should be employed to mine coal, for the reason that it gives one an unfair advantage over the others, and unsettles the price of the product as well as the price of labor; it enriches one and impoverishes the other, and makes the Commonwealth a party to the transaction against the party impoverished. Then, again, the employment of convicts to mine coal drives from the marts of trade those who would purchase goods and supplies, and thus business and free labor are paralyzed in every channel permeated

by that monstrosity--convict labor. The money or wealth, the product of the earth (the only source from which wealth is obtained) here at our own homes, and which should be distributed among us, and for the benefit of our children is carried away by the convict lessees and circulated in places foreign to us, and thus by the employment of convict labor in the coal mines at our doors and in our section are we unequally paying the tax burdens that should be put upon all the people of the whole State alike. The convicts should be maintained by all the people of all the State in equal proportion. The county of Whitley and State of Kentucky are deprived of the tax which they would receive were 150 free laborers employed at the Main Jellico Mountain Coal Company's mines at Kensee, instead of the 150 convicts. Behold the example of Caseyville and Coal Creek in Tennessee, which twenty-five, yes thirty years ago, were more flourishing than they are to-day; and yet Coal Creek puts out more than one-third of the entire out-put of coal between Louisville and Knoxville. In ten years from now will not Jellico, at the same rate, be much smaller than it is to-day? Neither it nor any other place can thrive under the withering and paralyzing power of convict labor at work in its midst in the place of free labor.

All that is high and ennobling cries out aloud in stentorian tones against such an unholy practice, and demands that convicts be kept inside the prison walls, whither they were sentenced, or be put out by the State to macadamizing the public roads, where they will not be in competition with skilled labor, and thus to increase the value of property throughout our whole country. Coal that is taken out of the earth can never be replaced; desolation is left behind. Hence the greater reason why men to the manner born who are free and have hopes and aims and wives and prattling children dependent upon their labor as miners for sustenance should, instead of convicts, have this work; and

WHEREAS, There are 148 or 150 convicts of the Commonwealth of Kentucky now being worked at the mines of the Main Jellico Mountain Coal Company, in mining coal, to the exclusion of free miners, there being now in this section over 400 free miners who are idle and seek work, many of them hav-

ing been forced to leave the Main Jellico Mountain Coal Company's mines for various reasons: such as bad air in the mine, long delay in paying off, giving convicts empty bunk cars in preference to giving them to free miners, uncivil treatment, etc.; and

WHEREAS, We have and do now understand and believe it to be true, that neither the Board of Directors nor the stockholders of said company are responsible for the employment of convicts in said mine, but that one B. duPont, who was mainly instrumental in causing the law to be passed whereby convicts are permitted to be worked in coal mines, and who was, and some of us believe is now, interested in the lease of the convicts as president of the Main Jellico Mountain Coal Company, caused the convicts to be placed at work in that mine, and retains them there, to which some of the stockholders of said company are, and have all the time, been openly opposed, and for this reason and because of their endeavors to have the convicts removed, has nothing been done heretofore by us to force their removal, and thus give our own people their rightful heritage; and whereas, we oppose violence and hope never to be compelled, even in self-defense, to resort to it, and pledge ourselves not to destroy property in any way, yet the *convicts must be removed* from the coal mines in our section, and our own people, many of whom now suffer for the necessaries of life because convicts are at work where they should and could be at work, be given that work to perform which rightfully belongs to them; and whereas, although it seems that there are those in the General Assembly of Kentucky who would make light of our misfortunes, and who seek to answer the cries of the starving coal miner by enacting a law to fine and imprison him for pleading for his simple rights. we yet have hope that the right will prevail and that the General Assembly of Kentucky (and of Tennessee) will at once cause the convicts to be removed from all the coal mines; therefore, be it

Resolved by the citizens and coal miners of Jellico section in mass-meeting assembled, That we earnestly and firmly request the General Assembly of Kentucky, now in session, to take such measures immediately as will at once cause the convicts to be taken away from the Main Jellico Mountain Coal Company's mines at Kensee, and from all other mines in Kentucky. We

pledge ourselves that we will not cease this agitation, and will use all honorable means to have the convicts prevented from working in our coal mines.

Be it further resolved, That a copy of this preamble and resolution be forwarded to the Governor, the Senate and House of Representatives, the Sinking Fund Commissioners, and Chas. E. Hoge, President of the Mason & Foard Company, lessees of the convicts, all at Frankfort, Kentucky.

Be it further resolved, That we pledge our co-operation and support to the miners and citizens of Greenwood in all honest endeavors to free and rid themselves of the convicts at work in their midst.

Respectfully,

B. B. McGUIRE,
S. H. COOPER,
A. T. NEWMAN, M. D.,
J. A. WILSON,
G. W. DOWNEY,
Executive Committee.

On motion of Mr. Gilbert,

Ordered, That said communication be referred to the special joint advisory committee appointed to investigate and report upon the labor disturbances at Greenwood mines.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to regulate the civil jurisdiction of the Quarterly Courts of Mason, Shelby and Spencer counties.

An act to repeal chapter 1259, of the Session Acts of 1881–2 entitled "An act to define the jurisdiction of courts of Justices of the Peace in the county of Spencer."

An act to amend an act, entitled "An act to regulate the mode of returning and the collection of the delinquent and insolvent taxes of Crittenden county," approved April 30, 1884.

An act to authorize the Harrison County Court to build a bridge across South Licking river, and to levy an ad valorem tax to pay for the same.

An act to incorporate the Deposit Bank of Sulphur.

An act fixing the fees of Justices of the Peace for the county of Calloway, for holding levy courts, etc., for the said county.

An act to provide for the funding and payment of the debts of Harrison county.

An act to incorporate the New Harmony Club, of Louisville.

An act to amend an act, entitled "An act for the benefit of Mrs. Mattie Bennett, of Henry county."

An act to change the line dividing Hart from Larue county.

An act to incorporate the town of Nepton, in Fleming county.

The Senate took up for consideration a joint resolution, entitled

Resolution concerning the removal of convicts at Greenwood.

Mr. Clay moved to refer said resolution to the special joint advisory committee appointed to investigate and report upon the labor disturbances at Greenwood mines.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	L. M. Martin,
M. C. Alford,	G. G. Gilbert,	J. W. Ogilvie,
C. M. Clay, Jr.,	T. S. Grundy,	J. T. Simon,
Henry Dixon,	J. D. Harris,	Robert Walker—12.

Those who voted in the negative, were—

A. S. Berry,	W. H. Frederick,	D. H. Smith,
S. H. Boles,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	S. E. Hill,	E. R. Sparks,
W. J. Caudill,	J. N. Price,	W. H. Taulbee,
W. M. Cravens,	F. D. Rigney,	R. S. Triplett—15.

Mr. Alford proposed an amendment as a substitute for said resolution.

Mr. J. R. W. Smith proposed an amendment as a substitute for said resolution.

Mr. D. H. Smith proposed an amendment to the said last-named substitute.

Mr. Caudill moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

THURSDAY, MARCH 18, 1886.

The reading of the Journal of yesterday was dispensed with.

On motion of Mr. McKee, leave of absence, indefinitely, was granted Messrs. Alford, Martin and Sparks.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Farmers' Fire Insurance Company of America.

An act for the benefit of William Dawson, of Bullitt county.

An act for the benefit of Robert Greenwell, of Bullitt county.

An act for the benefit of E. H. C. Hill, of Bullitt county.

An act to amend an act, entitled "An act to incorporate the Kentucky Paving and Contract Company."

An act providing for the summoning and pay of jurors in the Bourbon Quarterly Court.

An act to incorporate the Camdensville and Johnsonville Turnpike Company.

An act to repeal an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1876.

An act to amend an act, entitled "An act regulating the pay of Commonwealth witnesses in felony cases," approved

April 24, 1880, and regulating the manner of claiming attendance.

An act for the benefit of Estill Springs, in Estill county.

An act to amend an act, entitled "An act to provide for working and keeping in repair the county roads of Campbell county," approved April 3, 1884.

An act to establish a road law for Boyd county.

An act to prohibit and regulate the sale of spirituous, vinous and malt liquors in common school district No. 68, in Muhlenberg county, and in the town of Rosewood, of which district said town is a part.

An act to incorporate the Lexington, Nicholasville and Whitesburg Railroad Company.

An act for the benefit of Estill Timberlake, relieving her of the disabilities of nonage.

An act to exclude Muhlenberg county from the provisions of an act, entitled "An act for the protection and propagation of food-fishes in this Commonwealth," approved March 20, 1876.

An act to amend an act, entitled "An act to repeal the charter of the town of Uniontown, and all amendments thereto, and to re-incorporate the same by repealing the twenty-first section of said act."

An act to change the time of holding the County Court in Logan county.

An act to extend the Case Crowder and Etherington Turnpike Road from its present terminus at the end of the Tattletown pike to the Washington county line, at or near Goodlett's schoolhouse.

An act for the benefit of Hardin county, and to dispose of a surplus fund in the hands of the Commissioners of the Sinking Fund of said county.

An act to prohibit the sale of spirituous, vinous or malt liquors in Logan county.

An act to repeal an act, entitled "An act relative to the Henry, Oldham and Jefferson Turnpike Road Company," approved February 20, 1878, and the amendment thereto, approved May 5, 1880.

An act to prohibit the sale of spirituous, vinous and malt liquors in Larue county.

An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county;"

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Midway," approved February 29, 1884.

An act to prohibit the sale of spirituous, vinous or malt liquors within five miles of the North Rolling Fork Baptist Church, on the Rolling Fork, in Boyle county.

An act regulating the jurisdiction of the Police Judge and Marshal of the town of Independence.

An act to enlarge the boundaries of the town of Crofton, in Christian county, and to repeal section 2 of the charter of said town.

An act for the benefit of P. A. Cline, late Sheriff of Pike county.

An act to amend an act, entitled "An act to authorize the County Court of Warren county to subscribe stock to turnpike roads in said county."

An act to amend an act, entitled "An act to incorporate the town of East Bernstadt, in Laurel county."

An act to amend the charter of the town of Bremen, in Muhlenberg county.

An act to divide Hurricane precinct, in Crittenden county, into two voting precincts.

An act to amend an act, entitled "An act to incorporate the Russellville Banking and Warehouse Company."

An act to amend an act, entitled "An act to amend the charter of Jamestown, in Russell county."

An act fixing the fees of Justices of the Peace of Carter county for attending the County Courts of said county.

An act for the benefit of the Cabin Creek, Sand Hill and Manchester Branch Road Turnpike Company, of Lewis county.

An act for the benefit of Knott county.

An act to amend an act, entitled "An act to incorporate the Ohio Valley Railroad and Mining Company," approved April 20, 1882.

An act to repeal an act authorizing the Pike County Court

of Claims to allow the Sheriff of Pike county not to exceed $100 for waiting on the courts of said county, approved April 27, 1880.

An act to amend an act, entitled "An act for the benefit of common school district No. 25, in Oldham county," approved April 25, 1882.

An act for the benefit of common school district No. 50, in Union county.

An act for the benefit of common school district No. 1, white, in Fleming county.

An act to amend the charter of the South Kentucky Railroad Company.

An act to amend an act, entitled "An act to incorporate the Poplar Flat, Indian River and Salt Lick Turnpike Road Company, in Lewis county."

An act to amend an act, entitled "An act to charter the town of Rowletts, in Hart county," approved April 6, 1882.

An act to incorporate the McClure and Alton Turnpike Road Company, in Anderson county.

An act to amend the charter of the city of Augusta, in Bracken county.

An act to incorporate Star Lodge, No. 19, Knights of Pythias, of Owensboro.

An act to enable Theodore L. Harrison to act as Deputy Clerk of the Carroll County Court.

An act for the benefit of the Trustees of Funk Seminary, Lagrange, Oldham county.

An act to amend an act, entitled "An act to incorporate the Kentucky and Louisville Mutual Insurance Company."

An act relating to taxes in the county of Daviess where lands have been or may hereafter be sold therefor and bought by it, authorizing it to resell such lands and when it may purchase the same, to empower it to recover, hold and dispose of the same, and authorizing the appointment of a collector of such taxes.

An act to incorporate the town of DeKoven, in Union county.

An act to establish a Police Court in the town of Crofton, Christian county, and repeal section (6) six of the charter of said town.

An act to recharter the town of Mount Vernon, Rockcastle county.

An act to recharter the town of Wingo, in Graves county.

An act to incorporate the Park City Railway Company.

An act to repeal an act to authorize the Commissioners for the county of Kenton to subscribe for stock in turnpike roads in said county, and provide means for the payment thereof, approved April 11, 1882.

An act to incorporate the Irvine and Vienna Turnpike Road Company.

An act to incorporate the Security, Trust and Safety Vault Company, of Lexington.

An act to incorporate the People's Loan and Trust Company, of Russellville.

An act to incorporate the Bank of Calhoon.

An act to incorporate the Hopkins County Fair Company.

An act to incorporate the Owensboro Trust Company, of Owensboro.

An act to incorporate and establish a public school for colored people in the town of Elkton, and within a radius of three miles of the court-house in said town.

An act to amend an act, entitled "An act amending the charter of the district of Highlands, in Campbell county," approved April 10, 1884, being chapter 699, Session Acts of Kentucky Legislature, 1883–84.

An act to amend an act, entitled "An act to regulate the working and laying out of public roads in Russell county," approved May 12, 1884.

An act to repeal an act, entitled "An act to incorporate the town of Airdrie."

An act to provide for the election of town officers of Jeffersontown, in Jefferson county, for the year 1886.

An act to repeal an act, entitled "An act to incorporate the town of Woodstock, in Pulaski county," approved April 22, 1884.

The Speaker appointed Mr. Clement a member of the special joint committee selected to investigate the labor disturbances at Greenwood mines.

Mr. Neat, from the Committee on Enrollments, reported that

the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to regulate the selling, lending, procuring for, or giving of spirituous, vinous or malt liquors, or any intoxicating drink, in the county of Carter;

An act authorizing the County Court of Menifee county to issue bonds and provide for their payment for the purpose of building a jail;

An act to regulate the allowance of county claims in the counties of Pike, Martin, Letcher and Knott;

An act to incorporate the Ghent Deposit Bank;

An act to prevent stock from running at large in Marshall county;

An act to amend an act, entitled "An act to incorporate the town of Providence, in Webster county;"

An act creating the Gubser Mill magisterial district, in Campbell county;

An act providing a game law for Campbell county;

An act to authorize the Pike County Court to establish a ferry across Sandy river, just below the town of Pikeville;

An act to amend the charter of the town of Somerset;

An act to fix the portion of county and municipal expenses to be paid by the city of Covington, in the county of Kenton;

An act to provide for the removal of the records and papers of Justices of Muhlenberg county into the Police Courts of said county, and regulate proceedings thereon;

An act to authorize the Board of Councilmen of the city of Frankfort to issue bonds for school purposes;

An act for the benefit of the Cain Run Turnpike Road Company, in Nicholas county;

An act to amend the charter of the town of California, county of Campbell;

An act to amend section 99, of an act, entitled "An act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto," approved May 12, 1884;

An act to amend an act, entitled "An act to incorporate the town of Rockport, in Ohio county," approved February 24, 1870;

An act to establish an additional Justices' district in Laurel county ;

An act authorizing the County Court of Wayne county to levy an ad valorem tax for the purpose of bridging water-courses, building culverts and repairing the public highways in said county ;

An act to repeal an act, entitled "An act in relation to Commissioners' sales in Nelson county," approved March 13, 1876 ;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the Citizens' Bank ;

An act to amend an act, entitled "An act to establish a Superior Court, and to regulate the same," approved April 22, 1882 ;

An act to amend an act, entitled "An act to revise and amend the charter of the city of Newport," approved February 17, 1874 ;

An act to incorporate the town of Fordsville, in Ohio county ;

An act authorizing the city of Newport, Ky., to issue bonds for rebuilding bridge between Newport and Covington ;

An act redistricting the city of Newport, Campbell county, into magisterial districts ;

An act to amend section 5, of article 6, of the charter of the city of Ashland ;

An act to amend an act, entitled "An act to amend and reduce into one the acts to incorporate the town of Louisa ;"

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Bush presented the petition of sundry citizens of Logan county, remonstrating against the repeal of an act to empower Logan county to retire the bonded indebtedness of said county, and to create a sinking fund and collector of taxes, and to prescribe the duties of same.

Which was received and read.

Mr. J. R. W. Smith, from the Committee on Charitable Institutions, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of the Kentucky Institution for the Education of the Blind,

Reported the same without amendment.

On motion of Mr. Hays,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday, March 19th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Cravens, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

A bill to supply cheaper school books to the common schools of the State,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Cravens,

Ordered, That said bill be printed and recommitted to the Committee on Education.

The Senate took up for consideration a bill, entitled

A bill to enable any foreign corporation to acquire the property and franchises of the Kentucky Union Railway Company, and of the Red River Lumber Company, and to transact business in this Commonwealth.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any foreign corporation or joint stock association formed for the purpose, in whole or in part, of building, constructing or operating any railway or railways, mines, mills or factories, wholly or partly within the limits of this Commonwealth, may purchase, hold or lease any such railway or railway lands not exceeding one million of acres, mines, mills, factories, either or all thereof, and all personal estate of whatsoever kind now held by the Kentucky Union Railway Company

and the Red River Lumber Company, and such foreign corporation making such lease or purchase is hereby authorized to build and operate any railway now being operated or constructed, or authorized to be operated or constructed, in this Commonwealth by the acts of incorporation of either of the aforesaid companies. And such foreign corporation, by such lease or purchase, shall acquire all the rights, privileges and franchises granted to either or both of said corporations, and may exercise and enjoy all the rights and franchises which are now enjoyed by either or both of said corporations under the general laws of this Commonwealth; and such foreign corporations so succeeding either or both of said companies may exercise and enjoy all the rights and franchises heretofore granted to either or both of said corporations by the acts of incorporation thereof.

§ 2. In all proceedings in any court of this Commonwealth, such foreign corporation shall be held and treated in all respects as a corporation created under the laws of this Commonwealth.

§ 3. Such foreign corporations shall have the right to issue and sell its bonds and secure the payment of such bonds, principal and interest by mortgage or pledge of its railway property, real estate or personal property in any or all of them, and to guarantee or become joint obligors of the mortgage bonds of any other railway or other corporation, domestic or foreign.

§ 4. This act is expressly subject to the operation of an act, entitled "An act reserving power to amend or repeal charters and other laws," approved February 14, 1856, and any foreign or non-resident corporation purchasing or leasing the property and franchises of either or both of said companies shall at all times be subject to the acts of the General Assembly. Such non-resident or foreign corporation shall keep an office for the transaction of its business in this Commonwealth.

§ 5. This act shall be in force from and after its passage.

Mr. Feland moved to amend said bill as follows, viz:

That the title of said bill be amended so as to read, "An act to enable any foreign corporation to acquire the property and franchises of the Kentucky Union Railway Company, and of the Central Kentucky Lumber, Mining, Manufacturing and Transportation Company."

And the question being taken thereon, it was decided in the affirmative.

Mr. Feland moved the following amendment as a substitute for said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any foreign corporation or joint stock association formed for the purpose, in whole or in part, of build-

ing, constructing or operating any mines, mills or factories, railway or railways, wholly or partly within the limits of this Commonwealth, may purchase, hold or lease or sell, any such railway or railways, lands not exceeding one million of acres, mines, mills, factories, either or all thereof, and all personal estate of whatsoever kind, now held by the Kentucky Union Railway Company, and Central Kentucky Lumber, Mining, Manufacturing and Transportation Company, and such foreign corporation on making such lease or purchase is hereby authorized to build and operate any railway now being operated or constructed, or authorized to be operated or constructed in this Commonwealth by the acts of incorporation of either of the aforesaid companies. And such foreign corporation by such lease or purchase shall acquire all the rights, privileges and franchises granted to either or both of said corporations, and may exercise and enjoy all the rights and franchises which are now enjoyed by either or both of said corporations under the general laws of this Commonwealth, and such foreign corporations so succeeding either or both of said companies may exercise and enjoy all the rights and franchises heretofore granted to either or both of said corporations by the acts of incorporation thereof.

§ 2. In all proceedings in any court of this Commonwealth such foreign corporation shall be held and treated in all respects as a corporation created under the laws of this Commonwealth.

§ 3. Such foreign corporation shall have the right to issue and sell its bonds, and secure the payment of such bonds, principal and interest by mortgage or pledge of its railway property, real estate or personal property, or any or all of them, and to guarantee or become joint obligors of the mortgage bonds of any other railway and other corporation, domestic or foreign.

§ 4. This act is expressly subject to the operation of an act, entitled "An act reserving power to amend or repeal charters and other laws," approved February 14, 1856, and any foreign or non-resident corporation purchasing or leasing the property and franchises of either or both of said companies shall, at all times, be subject to the acts of the General Assembly. Such non-resident or foreign corporation shall keep an office for the transaction of its business in the Commonwealth.

§ 5. This act shall be in force from and after its passage.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gilbert, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Will R. Speck, of Warren county,

Reported the same with the expression of opinion that said bill ought not to pass.

The question was then taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

So said bill was disagreed to.

Mr. Dixon, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act to establish the county of Carlisle,

Reported the same with the expression of opinion that said bill ought not to pass.

On motion of Mr. Dixon,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, March 24th, at 11 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration the unfinished business of yesterday, the same being a joint resolution, entitled

Resolution concerning the removal of convicts at Greenwood.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the prisoners now at Greenwood be placed in the Penitentiary at Frankfort.

Mr. J. R. W. Smith withdrew the amendment heretofore proposed by him as a substitute for said resolution.

Mr. Alford had heretofore proposed an amendment as a substitute for said resolution, which reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That it is inexpedient and unwise to work convicts in the coal mines of this State.

Mr. Boles moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment heretofore proposed by Mr. Alford as a substitute for said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Boles, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	J. W. Ogilvie,
A. S. Berry,	W. H. Frederick,	J. N. Price,
S. H. Boles,	G. G. Gilbert,	F. D. Rigney,
J. W. Bryan,	T. S. Grundy,	J. T. Simon,
W. W. Bush,	J. D. Harris,	J. R. W. Smith,
A. R. Byers,	R. G. Hays,	W. H. Taulbee,
W. J. Caudill,	S. E. Hill,	R. S. Triplett,
C. M. Clay, Jr.,	H. T. Kendall,	E. L. Worthington,
F. M. Clement,	L. W. McKee,	Robert Walker—29.
W. M. Cravens,	W. F. Neat,	

In the negative—John Feland—1.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

Resolved, That the title of said resolution be as follows, viz:

Resolution concerning the working of convicts in coal mines.

Mr. Harris moved the following joint resolution, viz:

Resolved by the General Assembly of Kentucky, That a joint committee of five, two from the Senate and three from the House, be appointed by the Speakers of the two Houses, who shall confer, and, if practicable, settle with the lessees of the Penitentiary, and report the same to the General Assembly for approval.

Which, under the rule, lies one day on the table.

Mr. Cravens moved to suspend the rules and take up said resolution for consideration.

And the question being taken thereon, it was decided in the negative.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act for the benefit of Henry M. Booth, of Anderson county,

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary, notwithstanding, it was decided in the affirmative.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Henry M. Booth, of Anderson county, be, and he is hereby, relieved from all disabilities of infancy, and it shall be lawful for said Henry M. Booth to receive, and his guardian to deliver to said Henry M. Booth, any money or property that may be in the hands of said guardian belonging to said infant.

§ 2. It is further enacted that said Henry M. Booth be, and he is hereby, empowered to contract and be contracted with, sue and be sued, as though he was twenty-one years of age.

§ 3. This act shall be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Simon, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	T. S. Grundy,	J. W. Ogilvie,
A. S. Berry,	J. D. Harris,	F. D. Rigney,
A. R. Byers,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	R. S. Triplett,
C. M. Clay, Jr.,	L. W. McKee,	E. L. Worthington,
W. M. Cravens,	W. F. Neat,	Robert Walker—19.
W. H. Frederick,		

Those who voted in the negative, were—

S. H. Boles,	G. G. Gilbert,	J. T. Simon,
John Feland,	S. E. Hill,	W. H. Taulbee—6.

Resolved, That the title of said bill be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Cravens, from the Committee on Federal Relations—

A bill for the benefit of the town of Carrollton.

By Mr. Bryan, from the Committee on the Judiciary—

A bill to amend the charter of the city of Covington.

By Mr. Taulbee, from the Committee on Religion and Morals—

A bill to prohibit the sale of spirituous, vinous or malt liquors in Grayson county.

By Mr. Feland, from the Committee on Charitable Institutions—

A bill for the benefit of the Medical Superintendent of the Western Kentucky Lunatic Asylum.

By same—

A bill to amend the laws relating to lunatic asylums.

By Mr. Berry, from the Committee on Education—

A bill to establish a normal school at Tompkinsville, in Monroe county.

By Mr. Harris, from the Committee on Internal Improvements—

A bill to amend the charter of the Bloomfield and Springfield Turnpike Road Company, approved January 23, 1854.

By same—

A bill to establish the Dinmore Park Springs Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to incorporate the Bowling Green and Stallard Springs Telephone Company.

By Mr. Grundy, from the same committee—

An act to incorporate the Ford Lumber and Manufacturing Company.

By Mr. Simon, from the Committee on the Judiciary—

An act to amend and reduce into one all the acts and amendments to the charter of the town of Germantown, in Mason and Bracken counties.

By Mr. Bryan, from the same committee—

An act to amend the charter of the town of Central Covington, in Kenton county.

By Mr. Boles, from the same committee—

An act to amend an act, entitled "An act to incorporate the town of Kirkmansville, in Todd county," passed April 7, 1882.

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act to prohibit stock from running at large in McCracken county, etc.

By Mr. McKee, from the Committee on Military Affairs,

An act authorizing the Franklin County Court of Claims to elect a back tax collector, and defining his powers and duties.

By same—

An act to authorize the County Court of Franklin county to issue bonds for the purpose of funding the present floating debt of said county.

By Mr. Bryan, from the Committee on the Judiciary—

An act regulating the transfer of causes and appeals to and from the several courts of Kenton county.

With an amendment to the last-named bill, which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to empower Logan county to retire the bonds of said county, to create a sinking fund, to provide for commissioners of same, and to provide for the collection of taxes for that purpose in said county.

The question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Boles moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

The Speaker laid before the Senate the report of Hon. J. Fry Lawrence as one of the Commissioners appointed to disburse the fund appropriated by the last General Assembly for exhibit of Kentucky products at Louisville and New Orleans Expositions.

On motion of Mr. Berry,

Ordered, That five hundred copies of said report be printed and laid upon the desks of the members of the two Houses.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill in relation to and for the conditional repeal of an act, entitled "An act to incorporate the now existing Louisville Gas Company, and to grant it a new charter," approved April 30, 1884,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Clay,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for to morrow, March 19th, at 11:30 o'clock A. M., and from day to day until disposed of.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Boles—

1. A bill to charter a normal school at Tompkinsville, Monroe county.

On motion of same—

2. A bill prescribing the manner in which lands embraced in the territory lying between Walker's line and latitude, 36° 30′ north, in the State of Tennessee, shall hereafter be entered, surveyed and carried into grant.

On motion of Mr. Hill—

3. A bill to incorporate the National Railroad Agents' Association.

On motion of Mr. J. R. W. Smith—

4. A bill to provide for filling vacancies that can or may hereafter occur in the office of Judge of the Louisville Law and Equity Court.

On motion of Mr. Bryan—

5. A bill to amend the charter of the city of Covington.

On motion of Mr. Grundy—

6. A bill to amend the charter of the Bloomfield and Springfield Turnpike Road Company.

On motion of Mr McKee—

7. A bill to incorporate Capital City Lodge, No. 1597, G. W. O. O. F., Frankfort, Ky.

On motion of Mr. Hays—

8. A bill to amend the charter of the Louisville Transfer Company.

On motion of Mr. Clay—

9. A bill to regulate railroad elections in Bourbon county.

On motion of Mr. Feland—

10. A bill to repeal an act to amend section 4, article 5, chapter 5, General Statutes.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on the Judiciary the 2d, 5th and 10th; the Committee on Banks and Insurance the 3d; the Committee on Courts of Justice the 4th; the Committee on Internal Improvements the 6th and 8th; the Committee on General Statutes the 7th, and the Committee on Railroads the 9th.

And then the Senate adjourned.

FRIDAY, MARCH 19, 1886.

A message was received from the House of Representatives announcing that they had concurred in the an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act authorizing the Auditor to appoint agents to attend to revenue matters," approved April 29, 1880.

That they had passed bills which originated in the Senate of the following titles, viz:

An act to repeal an act, entitled "An act to authorize the city of Newport to refund its funded debt," approved April 15, 1884.

An act to amend an act, entitled "An act to incorporate the Columbus Manufacturing Company," approved March 18, 1878.

An act concerning sheep and hogs in Jefferson county.

An act to incorporate the Jessamine Confederate Memorial Association.

An act to authorize the city of Newport to issue $125,000 of bonds for water connection purposes.

An act for the benefit of W. P. Sandidge, of Cumberland county.

An act to authorize the creation of a sinking fund for the liquidation of the funded debt of the city of Newport.

An act to incorporate the town of Hindman, in Knott county.

An act amending and repealing so much of the city charter of Louisville, and the amendments thereto, as is embraced in section 9, of the revision or codification of the said charter and amendments by Gilbert Burnett.

An act incorporating the Louisville Natural Gas and Heating Company.

An act to incorporate the Blandville Baptist Male and Female College, in Ballard county.

An act to amend an act, entitled "An act to incorporate the Grand Lodge of the Ancient Order of United Workmen."

An act to amend an act, entitled "An act to incorporate and establish a public school in the town of Elkton, and within a radius of three miles of the court-house in said town."

An act to amend an act, entitled "An act to incorporate and establish a system of public schools in the town of Elkton, and within a radius of three miles of the court-house in said town," approved February 23, 1886.

An act to amend the charter of the Kentucky School of Medicine, at Louisville.

An act to incorporate the Kentucky Household Gas Supply Company.

With amendments to the five last-named bills.

That they had refused to concur in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to revise and amend and reduce into one the charter and various amendments relating to the town of South Carrollton, in Muhlenberg county.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Kentucky State Loan and Guaranty Company.

2. An act to amend the charter of the Jamestown district, in Campbell county, approved April 4, 1884.

3. An act to incorporate the Pigeon Roost Creek Coal Company, in Whitley county.

4. An act to incorporate the Board of Trustees for disabled Protestant Episcopal clergy, and for widows and orphans of deceased Protestant Episcopal clergymen of the diocese of Kentucky.

5. An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester," approved February 2, 1882.

6. An act to exempt members of the fire department of Winchester from the payment of poll-tax and from jury service.

7. An act to amend the title of an act, entitled "An act to incorporate the Paducah Electric Light and Heating Company," approved March 12, 1880.

8. An act to incorporate the North Kentucky Natural Gas and Fuel Company.

9. An act to amend an act, entitled "An act to incorporate the Knights of Honor Temple Company, at Louisville," approved February 20, 1884.

10. An act to incorporate the Little Fork United Baptist Church, in Elliott county.

11. An act to amend the charter of the Jefferson Southern Pond Draining Company.

12. An act to incorporate the Kenton Game Preserve Club.

13. An act to amend an act, entitled "An act to incorporate the Louisville Abstract and Loan Association."

14. An act to amend an act incorporating the Central Coal and Iron Company, approved March 18, 1876.

15. An act to incorporate the Fairview Cemetery Company, of Shelby county.

16. An act to incorporate the Grand Lodge of the Knights of Charity.

17. An act to amend the charter of the town of Bellevue, Campbell county.

18. An act to incorporate the Electric Light Company.

19. An act to incorporate the Labor Exchange, Falmouth.

20. An act to incorporate the Louisville Training School for Nurses, of Louisville, Ky.

21. An act to incorporate the Cumberland County Sulphur Spring.

22. An act to incorporate the Falls City Amateur Base-ball Association.

23. An act to incorporate the Catholic Knights of American Institute Company of Kentucky, at Louisville, Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 13th to the Committee on Banks and Insurance; the 2d, 5th, 6th, 15th and 17th to the Committee on the Judiciary; the 3d, 7th, 8th, 14th, 4th, 10th and 16th to the Committee on Religion and Morals; the 9th and

22d to the Committee on Finance; the 11th and 12th to the Committee on Agriculture and Manufactures; the 18th to the Committee on Courts of Justice; the 19th to the Committee on Executive Affairs; the 20th and 23d to the Committee on Charitable Institutions, and the 21st to the Committee on General Statutes.

On motion of Mr. Price, leave of absence, indefinitely, was granted Mr. Bryan.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Taulbee, from the Committee on Propositions and Grievances—

An act for the benefit of Lewis Prichard and John Patterson, of Carter county.

By Mr. Caudill, from the Committee on Immigration and Labor—

An act to incorporate Midway Pilgrim Lodge, No. 1,943, Grand United Order of Odd Fellows.

By Mr. Frederick, from the Committee on Propositions and Grievances—

An act to amend section 20, chapter 42, title "Ferries," so far as the same applies to Warren county.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act prohibiting the sale, giving or loaning of spirituous, vinous or malt liquors, or any mixture of either, within the corporate limits of Smith Grove, or within one mile thereof.

By Mr. D. H. Smith, from the Committee on General Statutes—

An act to provide for the working of persons committed to the custody of the Jailer of Pike, Letcher, Martin, Knott, Floyd, Johnson, Elliott and Carter.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to incorporate the Frankfort, Belle Point and Leestown Street Railway Company.

With amendments to the two last-named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Taulbee, from the Committee on Propositions and Grievances—

A bill to authorize John M. Patrick, Jeff Arnett and Levi Patrick to establish and operate a boom across the Middle Fork of Licking river.

By Mr. Hill, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to incorporate the Dayton and Ohio River Turnpike Company, in Campbell county," approved April 4, 1884.

By Mr. Caudill, from the Committee on Courts of Justice—

A bill declaring Otter creek, in Clay county, a navigable stream.

By Mr. Wallace, from the Committee on Education—

A bill to provide for the re-organization, maintenance and supervision of common school in the town of Louisa and vicinity.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to amend the charter of the Shelby Railroad Company.

By same—

A bill to incorporate the Cincinnati, Covington and Latonia Railway Company.

By Mr. Worthington, from the Committee on Propositions and Grievances—

A bill to amend the charter of the city of Maysville.

By same—

A bill to incorporate the Esculapia Springs Company, Lewis county.

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill to regulate the sale of spirituous, vinous and malt liquors in Allen county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Boles read and laid on the table a joint resolution, entitled

Resolution raising a joint committee to investigate the expenditure of moneys for the Institution for the Education of the Blind.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, and read as follows, viz:

WHEREAS, The General Assembly of this Commonwealth have from time to time made appropriations of money for the purpose of establishing an Institution for the Education of the Blind, and for the purpose of establishing and creating in connection therewith a manufacturing establishment for the benefit of said unfortunates; and whereas, grave reports of mismanagement of the State charity in these regards have from time to time been and are now being made; and whereas, it is important and proper that no suspicion of wrong should cloud the State's charities, and as no report has as yet ever been made to this General Assembly as to what application has been made of the money appropriated for the purposes indicated; therefore, be it

Resolved, That a subcommittee of one from the Committees on Charities of the Senate and two from the same committees of the House, to be designated by the chairman of each of said committees respectively, be, and they are hereby, appointed for the purpose of visiting said institutions as speedily as they can, and to investigate, and by their report to this General Assembly show how and in what manner the money appropriated has been expended, and if any purchase has been made of real estate, in which name the titles have been taken, and more especially will they ascertain and report in what manner the $20,000 appropriated two years ago has been applied; what lands, if any, have been purchased and to whom conveyed, and what amount thereof has been expended in buildings, and the number of colored blind at said Institution, and what amount of money, if any, is now needed to equip the building erected for the colored blind.

The question was then taken on the adoption of said resolution and it was decided in the affirmative.

Mr. Walker moved to reconsider the vote by which the Senate had refused to order to a third reading, the opinion of the committee to the contrary notwithstanding, a bill which originated in the House of Representatives, entitled

An act for the benefit of Will R. Speck, of Warren county.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend the charter of the Kentucky School of Medicine, at Louisville.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

A bill providing for the adoption and use of trade-marks for timber dealers, and to regulate the fees for taking up floating timber, staves, railroad ties, etc., and prescribing the manner of collecting the same on Big Sandy and Ohio rivers,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Taulbee, from a select committee, to whom was referred leave to bring in a bill, entitled

A bill in relation to the marital rights of husband and wife,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday, March 26th, at 11:30 o'clock A. M., and from day to day until disposed of.

Mr. Hill was appointed a committee to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the Senate, entitled

An act for the benefit of the McHenry Coal Company, of Ohio county.

After a short time, Mr. Hill reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Gilbert read and laid on the table a joint resolution, entitled

Resolution providing for the adjournment of the General Assembly.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the General Assembly adjourn *sine die* on Thursday, April 8, 1886, at 12 o'clock M.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Mr. Hays moved to amend said resolution as follows, viz:

Amend by striking out the "8th," and inserting the "15th."

Mr. D. H. Smith moved to amend said resolution as follows, viz:

Amend by striking out the "8th," and inserting the "30th."

And the question being taken thereon it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Hays to said resolution, and it was decided in the negative.

Mr. Caudill moved to amend said resolution as follows, viz:

Amend by striking out the "8th," and inserting the "1st."

Mr. Frederick moved to amend said resolution as follows, viz:

Amend by adding "and no bills shall be considered on that day."

Mr. J. R. W. Smith moved to amend said resolution as follows, viz:

Amend by striking out the "8th of April," and inserting the "12th of April."

Mr. Cravens moved to amend said resolution as follows, viz:

Amend by striking out the "8th of April," and inserting the "2d of April."

Mr. Alford moved to lay said resolution and the proposed amendments thereto on the table.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Feland, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	R. G. Hays,	D. H. Smith,
A. S. Berry,	H. T. Kendall,	Robert Walker,
W. J. Caudill,	L. W. McKee,	E. L. Worthington,
W. M. Cravens,	J. W. Ogilvie,	F. T. D. Wallace—13.
Henry Dixon,		

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	J. N. Price,
S. H. Boles,	T. S. Grundy,	F. D. Rigney,
A. R. Byers,	J. D. Harris,	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	J. R. W. Smith,
John Feland,	L. M. Martin,	W. H. Taulbee—17.
W. H. Frederick,	W. F. Neat,	

Mr. Gilbert moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. J. R. W. Smith to said resolution, and it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Cravens to said resolution, and it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Caudill to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Caudill and Cravens, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	R. G. Hays,	J. T. Simon,
W. J. Caudill,	H. T. Kendall,	D. H. Smith—7.
W. M. Cravens,		

Those who voted in the negative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
A. S. Berry,	T. S. Grundy,	F. D. Rigney,
S. H. Boles,	J. D. Harris,	J. R. W. Smith,
A. R. Byers,	S. E. Hill,	W. H. Taulbee,
C. M. Clay, Jr.,	L. M. Martin,	Robert Walker,
Henry Dixon,	L. W. McKee,	E. L. Worthington,
John Feland,	W. F. Neat,	F. T. D. Wallace—23.
W. H. Frederick,	J. W. Ogilvie,	

Pending the further consideration of said resolution and proposed amendments, the hour of 11:30 o'clock having arrived, further action thereon was cut off by the special order of the day.

Mr. Feland moved to suspend the consideration of the special order of the day until the resolution and amendments under consideration was disposed of.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	S. E. Hill,
S. H. Boles,	G. G. Gilbert,	W. F. Neat,
A. R. Byers,	T. S. Grundy,	F. D. Rigney,
C. M. Clay, Jr.,	J. D. Harris,	J. T. Simon—13.
John Feland,		

Those who voted in the negative, were—

M. C. Alford,	H. T. Kendall,	J. R. W. Smith,
A. S. Berry,	L. W. McKee,	W. H. Taulbee,
W. J. Caudill,	J. W. Ogilvie,	Robert Walker,
W. M. Cravens,	J. N. Price,	E. L. Worthington,
Henry Dixon,	D. H. Smith,	F. T. D. Wallace—16.
R. G. Hays,		

The Senate, according to order, took up for consideration a bill, entitled

A bill in relation to the conditional repeal of an act, entitled "An act to incorporate the now existing Louisville Gas Company, and to grant it a new charter," approved April 30, 1884.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was recommitted a bill, entitled

A bill to regulate railroad transportation,

Reported the same with the expression of opinion that said bill ought not to pass.

The question was then taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

So said bill was rejected.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Economic Heating Company.

An act to incorporate the town of Fordsville, in Ohio county.

An act to incorporate the Citizens' Bank.

An act to amend an act, entitled "An act to amend and reduce into one the acts to incorporate the town of Louisa."

An act to amend an act, entitled "An act to revise and amend the charter of the city of Newport," approved February 17, 1874.

An act to amend section 5, of article 6, of the charter of the city of Ashland.

An act to amend an act, entitled "An act to establish a Superior Court, and to regulate the same," approved April 22, 1882.

An act redistricting the city of Newport, Campbell county, into magisterial districts.

An act authorizing the city of Newport, Ky., to issue bonds for rebuilding bridge between Newport and Covington.

An act to incorporate the Ruthenburg Automatic Fire Extinguisher and Assurance Company.

Mr. Martin, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to regulate the sale of fertilizers in this Commonwealth and to protect the agriculturist in the purchase and use of same,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act for the benefit of John J. Kouns, late Sheriff of Boyd county.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration the motion heretofore entered by Mr. Berry to reconsider the vote by which the Senate had disagreed to a bill which originated in the House of Representatives, entitled

An act in relation to school district No. 26, Cedar Run precinct, Franklin county.

And the question being taken on the adoption of said motion it was decided in the negative.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Ashland Building and Saving Association, of Lexington.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act for the benefit of W. C. Comstock, lessee of the Mammoth Cave Hotel, in Edmonson county.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Gilbert moved to suspend the rules and take up for consideration a resolution, entitled

Resolution providing for the adjournment of the General Assembly.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	G. G. Gilbert,	W. F. Neat,
M. C. Alford,	T. S. Grundy,	J. W. Ogilvie,
S. H. Boles,	J. D. Harris,	J. N. Price,
A. R. Byers,	S. E. Hill,	F. D. Rigney,
W. J. Caudill,	H. T. Kendall,	J. T. Simon,
C. M. Clay, Jr.,	L. M. Martin,	J. R. W. Smith,
John Feland,	L. W. McKee,	W. H. Taulbee—22.
W. H. Frederick,		

Those who voted in the negative, were—

A. S. Berry,	Henry Dixon,	E. L. Worthington,
R. A. Burnett,	D. H. Smith,	F. T. D. Wallace—8.
W. M. Cravens,	Robert Walker,	

Mr. Gilbert moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment heretofore proposed by Mr. Frederick to said resolution, and it was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	G. G. Gilbert,	W. F. Neat,
S. H. Boles,	T. S. Grundy,	J. N. Price,
A. R. Byers,	J. D. Harris,	F. D. Rigney,
W. J. Caudill,	S. E. Hill,	J. T. Simon,
C. M. Clay, Jr.,	H. T. Kendall,	J. R. W. Smith,
John Feland,	L. M. Martin,	W. H. Taulbee—19.
W. H. Frederick,		

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	F. T. D. Wallace,
A. S. Berry,	L. W. McKee,	E. L. Worthington,
R. A. Burnett,	D. H. Smith,	Robert Walker—10.
W. M. Cravens,		

Resolved, That the title of said resolution be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had adopted said resolution.

Mr. Feland moved to lay said motion on the table.

Mr. D. H. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Cravens, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	L. W. McKee,	E. L. Worthington,
W. M. Cravens,	F. T. D. Wallace,	Robert Walker—7.
Henry Dixon,		

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	L. M. Martin,
A. S. Berry,	G. G. Gilbert,	W. F. Neat,
S. H. Boles,	T. S. Grundy,	J. N. Price,
W. J. Caudill,	J. D. Harris,	F. D. Rigney,
C. M. Clay, Jr.,	S. E. Hill,	J. R. W. Smith,
John Feland,	H. T. Kendall,	W. H. Taulbee—18.

The question was then taken on the adoption of the motion made by Mr. Feland to lay on the table the motion made by Mr. J. R. W. Smith, to reconsider the vote by which the Senate had adopted said resolution, and a quorum of the Senate not voting thereon, said resolution fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Gilbert and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	W. F. Neat,
S. H Boles,	G. G. Gilbert,	J. N. Price,
A. R. Byers,	T. S. Grundy,	F. D. Rigney,
W. J. Caudill,	J. D. Harris,	J. R. W. Smith,
C. M. Clay, Jr.,	S. E. Hill,	W. H. Taulbee—17.
John Feland,	L. M. Martin,	

Those who voted in the negative, were—

Henry Dixon, H. T. Kendall—2.

The Speaker appointed Messrs. Boles, Feland and Caudill a committee on the Geological Survey, in pursuance of a resolution heretofore adopted by the Senate.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Ogilvie—

1. A bill to amend an act to revise the charter of the city of Paducah, approved May 12, 1884.

On motion of same—

2. A bill to amend the charter of the Paducah Gas Company, approved March 2, 1886.

On motion of Mr. Gilbert—

3. A bill to abolish writ of *ad quod damnum* and to establish a uniform mode for the condemnation of private property for public uses.

On motion of Mr. Byers—

4. A bill to repeal an act, entitled "An act to provide and maintain public schools in Cloverport, Breckinridge county."

On motion of Mr. Caudill—

5. A bill to declare Otter creek, in Clay county, a navigable stream.

On motion of Mr. Wallace—

6. A bill authorizing the Board of Commissioners of Boyd county to appropriate money to the construction and repair of county roads and bridges, and provide for payment of same.

On motion of same—

7. A bill to amend an act to authorize the Lawrence County Court to issue bonds.

On motion of Mr. Alford—

8. A bill to amend section 4, of article 31, chapter 29, General Statutes.

On motion of same—

9. A bill to prohibit the sale of liquors within one mile of any railroad station in this State.

On motion of Mr. Martin—

10. A bill to extend the boundary of the city of Cynthiana.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st, 2d and 8th; the Committee on the Judiciary the 3d; the Committee on Education the 4th; the Committee on Internal Improvements the 5th; the Committee on General Statutes the 6th and 7th; the Committee on Religion and Morals the 9th, and the Committee on Executive Affairs the 10th.

On motion of Mr. Clay, the Senate then adjourned.

SATURDAY, MARCH 20, 1886.

The reading of the Journal of yesterday was dispensed with.

On motion of Mr. Martin, leave of absence, indefinitely, was granted Messrs. Harris, Berry, McKee, Alford, Grundy, Walker, Simon and Hays.

On motion of Mr. Cravens, the call of the roll of members was dispensed with.

A message was received from the House of Representatives announcing that they had passed a bill, entitled

An act to provide for and regulate the holding of examining courts in this Commonwealth, and fixing the fees of the County Judge, Justices of the Peace and Police Judges and other officers when sitting on examining courts.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, said bill was referred to the Committee on Courts of Justice.

The Senate took up for consideration an amendment adopted by the House of Representatives, to a bill which originated in the Senate, entitled

An act to incorporate the Kentucky Household Gas Supply Company.

[*For bill, see Senate Journal, February 27, 1886.*]

The amendment reads as follows, viz:

Add to section 5 the following, viz: "*Provided*, That this section shall apply only to Jefferson county and the city of Louisville, and that nothing in this act shall be construed to give said company a right to exercise any of the powers granted in said fifth section outside of said county of Jefferson and city of Louisville, and that none of its provisions of the bill shall apply to the counties of Pike, Letcher, Martin, Knott, Ballard, Mason, Franklin, Madison, Henry, Laurel, Rockcastle, Hopkins, McLean, Muhlenberg, Bracken, Simpson, Daviess, Marion and Nelson."

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs Cravens and D. H. Smith were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	F. D. Rigney,
S. H. Boles,	R. G. Hays,	J. T. Simon,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	W. F. Neat,	E. L. Worthington,
F. M. Clement,	J. W. Ogilvie,	F. T. D. Wallace—20.
Henry Dixon,	J. N. Price,	

In the negative—none.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to authorize the Pendleton County Court to issue and sell bonds and provide means of redeeming and regulating the manner of executing and disbursement of funds, etc.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Blandville Baptist Male and Female College, in Ballard county.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Taulbee, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to incorporate the Paducah Gas-light Company," approved March 2, 1886.

By Mr. Hill, from the same committee—

A bill providing for filling vacancies that may hereafter occur in the office of Judge of the Louisville Law and Equity Court.

By Mr. Taulbee, from the same committee—

A bill to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto, approved May 12, 1884.

By same—

A bill changing and defining the corporate limits of the town of Scottsville, in Allen county.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill for the benefit of the Johnson Steel Street Railroad Company, and to increase its corporate powers.

By Mr. Taulbee, from the Committee on Propositions and Grievances.

A bill to authorize the trustees of common school district No. 2, in the county of Lee, to sell the school-house and site, and

invest the proceeds in other school property for the use of said district.

By Mr. Martin, from the Committee on Public Health—

A bill to amend an act, entitled "An act to establish a State Board of Health."

By Mr. Dixon, from the Committee on Propositions and Grievances—

A bill for the benefit of Lizzie Rutledge, wife of Thomas Rutledge, of Shelby county.

By Mr. Caudill, from the Committee on Internal Improvements—

A bill to amend an act, entitled "An act to incorporate the Louisville Transfer Company," approved February 11, 1867.

By Mr. Simon, from the Committee on the Judiciary—

A bill to incorporate the Cynthiana Library.

By Mr. D. H. Smith, from the Committee on General Statutes—

A bill for the benefit of Elizabeth Carlisle and John Skaggs, of Marion county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Boles, from the Committee on Codes of Practice—

An act to repeal an act, entitled "An act to amend section 710, of the Civil Code of Practice," approved February 21, 1884, so far as the same applies to the county of Bath.

By Mr. Hill, from the Committee on Courts of Justice—

An act to establish two terms of the Fleming Circuit Court.

By same—

An act to incorporate the Electric Light Company, of Owensboro.

By Mr. Simon, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the Falmouth and Lenoxburg Turnpike Road Company," approved May 5, 1880.

By Mr. J. R. W. Smith, from the Committee on Charitable Institutions—

An act to incorporate the Louisville Training School for Nurses, of Louisville, Ky.

By same—

An act to incorporate the Catholic Knights of America Institute Company, of Kentucky, at Louisville, Kentucky.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to incorporate the Grand Lodge of the Knights of Charity.

By same—

An act to incorporate the Little Fork United Baptist Church, in Elliott county.

By Mr. Gilbert, from the Committee on the Judiciary—

An act to repeal an act, entitled "An act to amend sections 1 and 3, of an act, entitled 'An act to amend and reduce into one the various acts in regard to Bardstown,'" approved April 19, 1884.

By Mr. Feland, from the Committee on Finance—

An act to incorporate the Falls City Amateur Base-ball Association.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Feland moved to reconsider the vote by which the Senate had made a bill, entitled

An act in relation to the marital rights of husband and wife,

A special order of the day for Friday, March 26th, at 11:30 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Feland,

Ordered, That said bill be referred to the Committee on General Statutes, with directions to report same on Friday, March 26th, at 11:30 o'clock A. M.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 19, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

R. C. Tevis for Jefferson county.
Frank A. Owen for Webster county.
John S. Boswell for Anderson county.
W. W. Pierson for Union county.
J. R. Brother for Bath county.
Thomas C. Enos for Jefferson county.
W. O. B. Ratcliffe for Pike county.
John W. Bohannan for Franklin county.
C. Johnson for Fulton county.
W. H. Moore for Daviess county.
G. M. D. Chinn for Mercer county.
J. C. Brubaker for Boyd county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Gilbert withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, entitled

An act to repeal an act, entitled "An act to declare and amend the law relative to principals and factors or agents."

Mr. Hill moved to reconsider the vote by which the Senate had passed a bill, entitled

A act for the benefit of the McHenry Coal Company, in Ohio county.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Hill moved an amendment to said bill as a substitute therefor.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act for the benefit of the McHenry Coal Company.

Mr. J. R. W. Smith, from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill entitled

A bill for the Benefit of the Central Lunatic Asylum at Anchorage,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday, March 25th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Boles, from the Committee on Codes of Practice, to whom was referred a bill from the House of Representatives, entitled

An act to define the jurisdiction of the Henry County Quarterly Court,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Simon, from the Committee on General Statutes, to whom was recommitted a bill, entitled

An act to amend chapter 29, General Statutes,

Reported the same with an amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the common law and any other law declaring or making dogs or bitches of wild nature and not property is hereby repealed.

§ 2. Every dog or bitch that shall be reported to the proper Assessors for taxation for the following year, and upon which a tax of not less than one dollar shall be paid to the sheriff within ninety days after he is ready to receive the taxes for said year, or any dog or bitch that may not have been reported to the Assessor upon which alike tax shall be paid to the Sheriff of the county where the owner, holder or harborer of such dog or bitch resides or has domicile, after said Sheriff is ready to receive the taxes for that year shall be property under the civil and criminal laws of this Commonwealth.

§ 3. Sheriffs of this State shall receive the tax upon dogs or bitches whenever tendered to them after the tenth day of January of any year, and shall keep a proper register of the dogs or bitches upon which the taxes for each year have been paid, and shall furnish to payer a receipt for same, and also a small metal tag suitable for attachment to a dog collar, showing the number of such dog or bitch, and the letters "Ky." thereon. Such receipt or tag for the proper year shall be *prima facie* evidence that the tax on the dog or bitch has been paid, and shall protect the dog or bitch for ninety days after the Sheriff of the county where they would be taxable is ready to receive the taxes for the following year.

§ 4. That all owners, holders or harborers of dogs or bitches shall be responsible to any one suffering damage from them to other property, whether such owner, holder or harborer shall have any knowledge of the disposition of such dog or bitch to commit that kind of damage or any other damage or not.

§ 5. Any owner, holder or harborer of a bitch who shall permit her to go at large or leave her unconfined when in season or heat, shall be liable to any one suffering damage from her or the dogs that shall be with or about her upon proper action in the court having jurisdiction of the amount claimed.

§ 6. This act shall take effect and be in force from and after its passage.

Said amendment reads as follows, viz:

Amend by striking out all the words after the word "same" in the sixth line of section 3 down to and including the word "thereon" in the eighth line of said section, and by striking from the eighth line of section 3 the words "or tag."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. J. R. W. Smith moved to amend said bill as follows, viz:

There shall be no municipal or other tax or license on dogs in this Commonwealth than as is provided in this act.

And the question being taken thereon, it was decided in the affirmative.

Mr. Dixon moved to amend said bill as follows, viz:

The name and description of the dog listed shall be reported to the Assessor and entered by him on the Assessor's book.

And the question being taken thereon, it was decided in the affirmative.

Mr. Martin moved to amend said bill as follows, viz:

Amend by adding to first section the following, "so far as all dogs are concerned upon which a tax is paid according to the provisions of this act."

And the question being taken thereon, it was decided in the affirmative.

Mr. Feland moved to amend said bill as follows, viz:

Strike out "or bitch" and "or bitches" wherever they occur.

And the question being taken thereon, it was decided in the affirmative.

Mr. Byers moved to amend said bill as follows, viz:

Amend by excluding from the provisions of this act Grayson, Breckinridge, Hancock and Edmonson counties.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. D. H. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was then taken up and read as follows, viz:

Gentlemen of the Senate:

I am satisfied that the bill, entitled "An act for the benefit of Emily F. Dean, of Magoffin county," was introduced and passed under a misapprehension of the facts connected with the transaction upon which it was based, and therefore deem it but just to yourselves to return it for reconsideration.

It is recited in the preamble that on the twenty-sixth day of August, 1878, a house and lot, the property of Thomas H. Dean, surety of John W. Pence, Sheriff of Magoffin county, was sold for one hundred dollars under *fieri facias* in favor of the Commonwealth against John W. Pence. This is a mistake. The Commonwealth has no judgment against John M. Pence, nor was the property mentioned sold under any *fieri facias* against him in favor of the Commonwealth.

The facts are that there was a judgment in favor of the Commonwealth against John W. Pence, Sheriff of Magoffin county, for revenue due in 1877; to satisfy that judgment, several pieces of property were levied upon and sold on the twenty-sixth of August, 1878; among these were a house and lot in Salyersville belonging to Thomas H. Dean, one of Pence's sureties. The whole of the property thus sold was bought by the State for $660; that belonging to Mr. Dean being knocked off at $100. On the fourth of September, 1881, all the above-mentioned property was sold for the State, at public auction by the Auditor's agent at prices aggregating $865.50, the Dean property being knocked off to Mrs. Emily H. Dean, the wife of Thomas H. Dean at $220, the net profit to the Commonwealth on all the sales amounting to $205.50. The Legislature, however, by an act approved April 6, 1882, directed the Auditor to credit the judgment against Pence and his sureties by $195.50 of the net profits accruing to the State which was done. In that credit the defendants received the benefit of the proportion of the net profit on the sale to Mrs. Dean, or $114.16 out of the $120.00. In view of the facts furnished from the records in the Auditor's offices, the greater part, if not the whole, of the sum

appropriated in this bill would seem to be a mere gratuity without consideration of public service or otherwise, a precedent which I suppose the Legislature did not intend to establish, especially in view of the fact that Mr. Dean has remained in possession of the property without rent from the date of the State's purchase.

I am, very respectfully,

J. PROCTOR KNOTT.

EXECUTIVE OFFICE, March 20, 1886.

Said bill reads as follows, viz:

WHEREAS, On the twenty-sixth day of August, 1878, one house and lot, the property of Thomas H. Dean, surety of John W. Pence, Sheriff of Magoffin county, was sold for $100, under *fieri facias*, in favor of the Commonwealth against said John W. Pence, and so forth. The right of redemption to said property expired, and on the fourth day of September, 1881, the Auditor's agent sold the same at the court-house door in Salyersville, Kentucky, when Emily F. Dean, wife of Thomas H. Dean, purchased the same, and has paid into the Treasury therefor the sum of $252, being upwards of $100 more than said property cost the State; therefore

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer in favor of Emily F. Dean for $90, payable out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

On motion of Mr. Taulbee,

Ordered, That said message and bill be referred to the Committee on the Judiciary.

Mr. Dixon was appointed a committee to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill, entitled

An act to amend an act, entitled "An act to regulate proceedings in the Henderson Circuit Court," approved May 4, 1884, and to extend the January term of said court.

After a short time Mr. Dixon reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Dixon moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Dixon moved an amendment to said bill as a substitute therefor.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. Caudill, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to regulate the terms and times of the holding of the Circuit Courts in the Thirteenth Judicial District;

An act to amend the charter of the city of Carlisle, in Nicholas county;

An act to provide for appointing and electing Commissioners for the county of Pendleton, and defining their duties and the duties of other county officers, and to provide for taking the sense of the qualified voters of said county on the approval of same;

An act to consolidate the Carlisle and Rogers Mill and the Flat Rock Turnpike Road Companies, and for the benefit of said companies;

An act for the benefit of the Carlisle and East Union Turnpike Road Company;

An act creating a new voting precinct in the county of Campbell;

An act to prohibit the sale of spirituous, vinous or malt liquors in Glasgow Junction, in Barren county, and within one mile of the outside boundary of said town;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the Cumberland River Baptist Church, at Barbourville, Knox county, and for the protection of same from injury;

An act to amend the charter of St. Paul's Church, in Henderson;

An act to incorporate the Union Gospel Mission, of Louisville, Kentucky;

An act to incorporate the Procter Coal Company;

An act to amend the charter of the city of Maysville;

An act to amend the charter of DeKalb Lodge, No. 12, Independent Order of Odd Fellows, of Maysville;

An act to amend an act incorporating the James H. Hall Eagle Plow Company, approved January 24, 1878;

An act to incorporate the Louisville Savings Investment Association;

An act to amend the charter of the city of Louisville;

An act to incorporate Coalton Lodge, No. 229, Independent Order of Odd Fellows, at Coalton, in Boyd county;

An act to incorporate the American Accident Company;

An act to amend the charter of the Kentucky School of Medicine, at Louisville;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Caudill reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Burnett—

1. A bill amending the charter of the town of Eddyville.

On motion of Mr. Feland—

2. A bill amending article 11, chapter 29, General Statutes.

Ordered, That the Committee on General Statutes prepare and bring in said bills.

On motion of Mr. Feland, the Senate then adjourned.

MONDAY, MARCH 22, 1886.

The reading of the Journal of Saturday was dispensed with.

On motion of Mr. J. R. W. Smith, leave of absence, indefinitely, was granted Messrs. Hill and Worthington.

Mr. Martin moved to reconsider the vote by which the Senate had refused to read a third time a bill, entitled

An act to regulate railroad transportation.

Which motion was simply entered.

Mr. Price presented the report of a majority of the committee appointed to investigate the charges for certain record books in the county of Jefferson, in response to a resolution heretofore adopted by the Senate.

Mr. Wallace presented the report of the minority of said committee.

Which reports were received, read and referred to the Committee on the Judiciary.

The Speaker laid before the Senate a communication from the Cigar Makers' Union, No. 32, of Louisville, protesting against the passage of a bill suppressing "boycotting."

Which was read, and on motion of Mr. J. R. W. Smith, referred to the Committee on Propositions and Grievances.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Alford, from the Committee on Courts of Justice—

A bill to amend section 4, of article 31, of chapter 29, of the General Statutes.

By Mr. Wallace, from the Committee on Education—

A bill to amend an act to establish the boundary line between school district No. 80, in Lawrence county, and No. 26, in Boyd county.

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill to amend an act, entitled "An act to prohibit the sale,

loan or gift of spirituous, vinous or other intoxicating liquors within one mile of the South Elkhorn Christian Church, at the village of South Elkhorn, in Fayette county, and within one mile of the South Elkhorn Baptist Church, at the village of Slickaway, in said county," approved February 11, 1882.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to prohibit stock from running at large in McCracken county, etc.;

An act for the benefit of Will R. Speck, of Warren county;

An act for the benefit of Henry M. Booth, of Anderson county;

An act to incorporate the Bowling Green and Stallard Springs Telephone Company;

An act authorizing the Franklin County Court of Claims to elect a back tax collector, and define his powers and duties;

An act to charter the Supreme Lodge Colored Brotherhood of Honor;

An act to amend section 20, chapter 42, title "Ferries," General Statutes, so far as the same applies to Warren county;

An act to amend an act, entitled "An act to incorporate the town of Kirkmansville, in Todd county," passed April 7, 1882;

An act to provide for the working of persons committed to the custody of the Jailer of Pike, Letcher, Martin, Knott, Floyd, Johnson, Elliott and Carter;

An act to amend an act, entitled "An act authorizing the Auditor to appoint agents to attend to revenue matters," approved April 29, 1880;

An act to incorporate Midway Pilgrim Lodge, No. 1,943, Grand United Order of Odd Fellows;

An act to incorporate the Ford Lumber and Manufacturing Company;

An act to amend the charter of the town of Central Covington, in Kenton county;

An act to incorporate the Louisville Cemetery Association;

And enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of W. P. Sandidge, of Cumberland county;

An act for the benefit of John J. Kouns, late Sheriff of Boyd county;

An act to authorize the creation of a sinking fund for the liquidation of the funded debt of the city of Newport;

An act to authorize the city of Newport to issue $125,000 of bonds for water connection purposes;

An act to repeal an act, entitled "An act to authorize the city of Newport to refund its funded debt," approved April 15, 1884;

An act to incorporate the Spencer Cemetery Company;

An act to incorporate the Consolidated Lodge, Grand United Order of Odd Fellows;

An act for the benefit of W. C. Comstock, lessee of the Mammoth Cave Hotel, in Edmonson county;

An act amending and repealing so much of the city charter of Louisville, and the amendments thereto, as is embraced in section 9, of the revision or codification of the said charter and amendments by Gilbert Burnett;

An act to amend an act, entitled "An act to incorporate and establish a public school in the town of Elkton, and within a radius of three miles of the court-house in said town;"

An act to amend an act, entitled "An act to incorporate and establish a system of public schools in the town of Elkton, and within a radius of three miles of the court-house in said town," approved February 23, 1886;

An act to amend an act, entitled "An act to incorporate the Columbus Manufacturing Company," approved March 18, 1878;

An act to incorporate the town of Hindman, in Knott county;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate took up for consideration a bill, entitled

An act to punish certain offenses by stripes.

Mr. Gilbert moved an amendment to said bill as a substitute therefor.

Ordered, That said bill and proposed amendment be referred to the Committee on General Statutes.

Mr. Alford moved to reconsider the vote by which the Senate had concurred in an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Ashland Building and Savings Association, of Lexington.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said amendment, and it was decided in the negative.

On motion of Mr. Boles,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to incorporate the Louisville Training School for Nurses, of Louisville, Ky.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Boles moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Wallace—

1. A bill to amend an act to establish the boundary line

between school district No. 80, of Lawrence, and No. 26, of Boyd county.

On motion of same—

2. A bill to repeal an act fixing the fees of Jailers for keeping and dieting prisoners.

On motion of same—

3. A bill to regulate advertising of real estate and personal property under execution sales, sales under decrees or judgments, and sales of real estate for State and county taxes in Boyd county and fixing compensation therefor.

On motion of Mr. Taulbee—

4. A bill for the benefit of James Harmon, of Montgomery county.

On motion of same—

5. A bill for the benefit of David J. Cassity, of Breathitt county.

On motion of same—

6. A bill to change the spelling of Menifee county.

On motion of Mr. Kendall—

7. A bill for the benefit of H. C. Bowman, Jailer of Bullitt county.

On motion of Mr. Byers—

8. A bill to establish a bank in Leitchfield, in Grayson county.

On motion of Mr. Gilbert—

9. A bill to fund the Spencer county railroad bonds.

On motion of Mr. Caudill—

10. A bill to change the boundary line between Clay and Leslie counties.

On motion of Mr. McDanell—

11. A bill to limit the indebtedness of Gallatin county for turnpike purposes.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on General Statutes the 2d, 3d and 6th; the Committee on Federal Relations the 4th; the Committee on Courts of Justice the 5th; the Committee on Claims the

7th; the Committee on Banks the 8th; the Committee on the Judiciary the 9th; the Committee on Propositions and Grievances the 10th, and the Committee on Internal Improvements the 11th.

On motion of Mr. J. R. W. Smith, the Senate then adjourned.

TUESDAY, MARCH 23, 1886.

The reading of the Journal of yesterday was dispensed with.

On motion of Mr. Clay, leave of absence, indefinitely, was granted Messrs. Martin and McKee.

A message was received from the House of Representatives announcing that they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Frankfort, Belle Point and Leestown Street Railway Company.

An act to provide for the working of persons committed to the custody of the Jailers of Pike, Letcher, Martin, Knott, Floyd, Johnson, Elliott and Carter.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Ohio, Kentucky and Virginia Railway Company.

An act for the benefit of J. W. Rowlett, of Hart county.

An act to validate and legalize certain levies imposed for pauper purposes by the County Court of Daviess county.

An act to authorize the County Court of Daviess county to make levies for pauper purposes.

An act to amend article 1, of chapter 47, entitled "Gaming," of General Statutes.

With an amendment to the last-named bill.

That they had passed bills of the following titles, viz:

1. An act to prohibit the sale of spirituous, vinous or malt liquors or a mixture of either within three miles of the Baptist Meeting-house in the town of Hammonsville, in Hart county.

2. An act to prohibit the sale, barter or traffic in spirituous, vinous or malt liquors in any quantity whatever, or for any purpose whatever in Hart county.

3. An act to amend an act, entitled "An act to prevent the selling, giving or loaning spirituous, malt or vinous liquors within the town of Allensville, or within three miles of the corporate limits thereof in Todd county.

4. An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in the town of Elkton, Todd county, and within one mile of the corporate limits thereof," passed March 6, 1882.

5. An act for the benefit of Susan Preston Hart, of Woodford county.

6. An act to prohibit the sale, loan, barter or traffic in spirituous, vinous or malt liquors in the county of Todd, and to submit the question to the people.

7. An act to prohibit the sale of spirituous, vinous or malt liquors at Mount Hermon Church, in Todd county, or within two miles thereof.

8. An act for the benefit of W. B. Edwards, of Hart county.

9. An act to amend section 2, article 3, chapter 69, of General Statutes.

10. An act for the benefit of Constables in the city of Louisville and Jefferson county.

11. An act to prohibit the sale of spirituous, vinous or malt liquor at or within one mile of Pinkard school-house, in Woodford county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred--the 3d, 4th, 6th, 7th and 11th to the Committee on Religion and Morals; the 8th to the Committee on Claims, and the 9th to the Committee on General Statutes,

And the 1st, 2d and 5th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. R. W. Smith moved that the rules be suspended and that the Senate take up the tenth-named bill for consideration.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to amend section 710, of the Civil Code of Practice," approved February 21, 1884, so far as the same applies to the county of Bath;

An act to amend an act, entitled "An act to incorporate the Falmouth and Lenoxburg Turnpike Road Company," approved May 5, 1880;

An act to incorporate the Little Fork United Baptist Church, in Elliott county;

An act prohibiting the sale, giving or loaning of spirituous, vinous or malt liquors, or any mixture of either, within the corporate limits of Smith Grove, or within one mile thereof;

An act to incorporate the Electric Light Company, of Owensboro;

An act for the benefit of Lewis Prichard and John Patterson, of Carter county;

An act to reduce into one all the acts in relation to the town of Greenville, in Muhlenberg county;

An act to incorporate the Frankfort, Belle Point and Leestown Street Railway Company;

An act to incorporate the Catholic Knights of America Institute Company of Kentucky, at Louisville, Kentucky;

An act to establish two terms of the Fleming Circuit Court;

An act to repeal an act, entitled "An act to amend sections 1

and 3, of an act, entitled 'An act to amend and reduce into one the various acts in regard to Bardstown,'" approved April 19, 1884;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the Kentucky Household Gas Supply Company;

An act to incorporate the Ohio, Kentucky and Virginia Railway Company;

An act to incorporate the Jessamine Confederate Memorial Association;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. D. H. Smith moved that the rules be suspended and that the Senate take up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend article 1, of chapter 47, entitled "Gaming," of General Statutes.

And the question being taken thereon, it was decided in the affirmative.

Said amendment reads as follows, viz:

This act shall not apply to persons who may sell combination or French pools on any regular race-track during the races thereon.

The yeas and nays being required thereon by Messrs. Sparks and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. W. Ogilvie,
M. C. Alford,	G. G. Gilbert,	J. N. Price,
R. A. Burnett,	J. D. Harris,	F. D. Rigney,
A. R. Byers,	H. T. Kendall,	D. H. Smith,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee,
Henry Dixon,	W. F. Neat,	F. T. D. Wallace—18.

Those who voted in the negative, were—

S. H. Boles, C. M. Clay, Jr., E. R. Sparks—3.

Mr. Neat moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on concurring in the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	Henry Dixon,	J. N. Price,
S. H. Boles,	W. H. Frederick,	F. D. Rigney,
R. A. Burnett,	J. D. Harris,	D. H. Smith,
A. R. Byers,	H. T. Kendall,	E. R. Sparks,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee,
C. M. Clay, Jr.,	W. F. Neat,	Robert Walker,
W. M. Cravens,	J. W. Ogilvie,	F. T. D. Wallace—21.

Those who voted in the negative, were—

R. T. Albritton, G. G. Gilbert, J. R. W. Smith—4.
A. S. Berry,

Mr. Wallace presented the petition of sundry citizens of Catlettsburg, Boyd county, praying for the passage of the "whipping-post law."

Which was received, the reading dispensed with, and referred to the Committee on General Statutes.

The Senate took up for consideration a joint resolution, entitled

Resolution providing for the adjournment of the General Assembly.

[*For resolution, see Senate Journal, March 19th.*]

Mr. Gilbert moved to lay on the table the motion heretofore made by Mr. J. R. W. Smith to reconsider the vote by which the Senate had adopted said resolution.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Price and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. H. McDanell,
M. C. Alford,	G. G. Gilbert,	W. F. Neat,
S. H. Boles,	J. D. Harris,	J. R. W. Smith—10.
C. M. Clay, Jr.,		

Those who voted in the negative, were—

A. S. Berry,	H. T. Kendall,	D. H. Smith,
R. A. Burnett,	J. W. Ogilvie,	W. H. Taulbee,
A. R. Byers,	J. N. Price,	Robert Walker,
W. J. Caudill,	F. D. Rigney,	F. T. D. Wallace—13.
W. M. Cravens,		

The Senate took up for consideration a bill, entitled

An act authorizing and empowering Arthur and Wilcox and Luke Dees, their heirs or assignees to sue the Commonwealth of Kentucky to recover and have refunded to them the purchase money paid the State for lands purchased and entered by said Arthur and Wilcox and Luke Dees in the counties west of Tennessee river under the act of January 3, 1825, and prior to February 28, 1835.

Said bill reads as follows, viz:

WHEREAS, By the fourteenth section of an act, approved January 3, 1825, entitled "An act to provide for the sale of vacant lands west of the Tennessee river, M. B. Statutes, volume 2, pages 1054, 1058. It was provided that if any lands sold under this act shall be taken from the purchaser or his assignee by prior claims adverse to the title acquired by the sale and purchase under this act the said purchaser or persons claiming under him shall receive the amount of the original purchase money upon the production of records and certificates of the Judge of the Court, that the said land was lost upon a fair and full trial upon the merits of the respective titles to the Auditor of Public Accounts, who shall issue his warrant on the Treasury for the amount of the original purchase money without interest; and whereas, by an act, entitled "An act to repeal the fourteenth section of said act," approved January 3, 1825, approved February 25, 1836, said fourteenth section was repealed as to the lands entered after the twenty-eighth day of February, 1835; whereas, it is represented to this General Assembly that Luke Dees and Arthur and Wilcox previous to the act repealing said fourteenth section of the act of 1825, had

entered lands west of the Tennessee river previous to the twenty-eighth day of Febrary, 1835, to which they or their assignees now hold the State title within military and Treasury warrants, and other surveys which by legal and judicial trials in the courts of this State have been established over the State title; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That said Arthur and Wilcox and Luke Dees, their heirs or assignees, may file in the office of the Circuit Court Clerk in the county in which said land or the greater part thereof is situated, a petition in equity against the Commonwealth of Kentucky, verified by the parties as their attorneys if they be absent from the county, stating in what county each tract of said land lies, describing same by numbers of quarter section, township and range in which it is situated, stating by whom and at what price said land was purchased of the State, and filing patents and deeds as certified copies thereof connecting the titles from the Commonwealth of Kentucky to themselves and showing the interest owned as claimed by each.

§ 2. The clerk of the court in which said petition is filed, shall, within five days thereafter, send by mail a certified copy of said petition to the Attorney-General of this State, at Frankfort, which shall be deemed sufficient notice to the Commonwealth of the pendency of the action. Said action shall be by the clerk placed upon the equity docket of said court at the first term after it is filed in his office, which does not begin within forty days of the filing of said petitions. At said term the court shall appoint three sober, discreet housekeepers, residents of said county, who shall be freeholders; one of whom shall be a surveyor, as commissioners, with power to summon and swear witnesses, who, after first being duly sworn, shall proceed on a day to be fixed by them within sixty days of their appointment, to inquire into and locate the land in the petition named and described, and ascertain definitely what part of said land is within the bounds of military Treasury warrant or other surveys, and in what survey it is situated and in what county, and report, in writing under oath to said court, at its next term, which report shall lie over three day for exception; if none is filed, the same shall be confirmed and ordered to be recorded. Whereupon, the court shall adjudge the amount of money that appears to be due from the Commonwealth to the parties claiming, if any, as the purchase price of lands west of the Tennessee river, entered by the parties named, Luke Dees and Arthur and Wilcox prior to the twenty-eighth day of February, 1835. Upon the presentation of certified copies of the report of the said commissioners and judgment of the court to the Auditor of Public Accounts, he is hereby directed to draw his warrant on the Treasury in favor of the parties named in said judgment for the amounts shown to be due each of them as the original entry price of said land without interest.

§ 3. The Clerks of the Circuit Courts shall be allowed the same fees under this act in said causes as is fixed by law for like services in other equity causes, and the commissioners appointed under this act shall be allowed one dollar and fifty cents per day each to be taxed as costs.

§ 4. This act shall take effect and be in force from its passage.

Mr. Caudill moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, March 24th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon,

Said bill fell into the orders of the day.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	J. D. Harris,	F. D. Rigney,
A. S. Berry,	J. H. McDanell,	D. H. Smith,
R. A. Burnett,	W. F. Neat,	F. T. D. Wallace –11.
A. R. Byers,	J. W. Ogilvie,	

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	E. R. Sparks,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee 7.
W. H. Frederick,		

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Taulbee, from the Committee on Courts of Justice—

A bill for the benefit of David J. Cassity, of the county of Breathitt.

By Mr. Wallace, from the Committee on General Statutes—

A bill to repeal an act, entitled "An act to regulate the advertising of real estate and personal property under executive sales,

sales under decrees or judgments, and sales of real estate for State and county taxes, in Boyd county, and fixing compensation therefor.

By Mr. Berry, from the Committee on Education—

A bill regulating the institution of actions and proceedings in Campbell county.

By Mr. Wallace, from the Committee on General Statutes—

A bill to authorize the Board of Commissioners of Boyd county to appropriate money to the construction and repair of county roads and bridges, and provide for payment of same.

By same—

A bill to amend an act to authorize Lawrence County Court to issue bonds.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. D. H. Smith, from the Committee on General Statutes—

An act to amend an act, entitled "An act to amend, revise and reduce into one the several acts in regard to the town of Shepherdsville, Bullitt county," approved April 30, 1884.

By Mr. Albritton, from the Committee on Agriculture and Manufactures—

An act to incorporate the Kenton Game Preserve Club.

By Mr. Neat, from the same committee—

An act to amend the charter of the Jefferson Southern Pond Draining Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration the motion heretofore entered by Mr. Boles to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Louisville Training School for Nurses, of Louisville, Ky.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Boles moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Messrs. Alford and Albritton be appointed a committee of conference on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to take into consideration the disagreement of the two Houses in regard to an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Ashland Building and Saving Association, of Lexington.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Boles—

1. A bill to repeal all that part of the acts approved May 5, 1880, and April 8, 1878, that provides for the organization of the Kentucky State Guard, and to amend the act of April 8, 1878, in relation to the militia of the reserve.

On motion of Mr. Frederick—

2. A bill to repeal an act to incorporate the Fourth Avenue Turnpike Company, approved February 27, 1882.

On motion of same—

3. A bill to incorporate the Fourth Avenue Park Turnpike Company, in Jefferson county.

On motion of Mr. Price—

4. A bill to amend sections 9 and 10, chapter 37, General Statutes.

On motion of Mr. Wallace—

5. A bill to amend section 238, of the Civil Code of Practice.

On motion of Mr. J. R. W. Smith—

6. A bill relating to the clerks of General Council of the city of Louisville.

On motion of same—

7. A bill to amend an act to incorporate the Louisville Safety Vault and Trust Company.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 6th and 7th; the Committee on Internal Improvements the 2d and 3d; the Committee on the Judiciary the 4th, and the Committee on Codes of Practice the 5th.

On motion of Mr. D. H. Smith, the Senate then adjourned.

WEDNESDAY, MARCH 24, 1886.

The reading of the Journal of yesterday was dispensed with.

The roll call was dispensed with.

A message was received from the House of Representatives, announcing that they receded from their amendment to a bill which originated in the Senate, entitled

An act to incorporate the Ashland Building and Saving Association, of Lexington.

That they had passed bills which originated in the Senate of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Louisville Transfer Company," approved February 11, 1867.

An act to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto, approved May 12, 1884.

An act to amend an act, entitled "An act to incorporate the Paducah Gas-light Company," approved March 2, 1886.

An act to incorporate the Esculapia Springs Company, Lewis county.

An act for the benefit of the town of Carrollton.

An act to amend the charter of the town of Shelbyville.

An act to authorize Perry county to issue bonds for building court-house and jail.

An act to enable any foreign corporation to acquire the property and franchises of the Kentucky Union Railway Company, and of the Central Kentucky Lumber, Mining, Manufacturing and Transportation Company.

An act to authorize the county of Mason to subscribe to the capital stock of railroad companies.

An act empowering St. Paul Protestant Episcopal Church, of Newport, Kentucky, to bond its debt.

An act to incorporate the Madison and South-eastern Railway Company,

An act authorizing the Chicago, St. Louis and New Orleans Railroad Company, and the Illinois Central Railroad Company, or either of them separately to build and maintain a railroad bridge across the Ohio river.

With amendments to the two last-named bills.

The Senate took up for consideration the amendment to the last-named bill.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

That they had passed bills of the following titles, viz:

1. An act to extend the limits of the town of North Middletown, in Bourbon county.

2. An act to authorize the Board of Trustees of the town of Danville to issue bonds to the amount of five thousand dollars ($5,000) for purpose of raising money to pay bonds to said

amount issued to pay for stock in the Danville Gas-light Company.

3. An act authorizing the appointment of a Treasurer for Scott county and agent for the McCracken fund.

4. An act to amend an act, entitled "An act for the benefit of certain common school districts in Boyle and Mercer counties," approved February 25, 1854, and to provide a trustee for a portion of the Hart fund mentioned therein.

5. An act for the benefit of Brent Talbott, of Boyle county.

6. An act to repeal an act, entitled "An act to authorize a certain defined portion of Jessamine county to subscribe to the capital stock of the Sugar Creek and Watt's Mill Turnpike Road Company," approved May 1, 1884.

7. An act in relation to collecting toll on turnpike and gravel roads.

8. An act to authorize the Carroll County Court to sell the delinquent tax list of said county.

9. An act to regulate the tolls on the Bardstown and Louisville Turnpike.

10. An act authorizing the Coroner of Nelson county to appoint a deputy.

11. An act to amend the charter of the city of Louisville.

12. An act for the benefit of Isaac C. Adair, of Hancock county.

13. An act to amend the charter of the Louisville City Railway Company.

14. An act to incorporate the Paducah and Fort Jefferson Railroad Company.

15. An act to authorize Bullitt County Levy Court to issue county bonds for the purpose of constructing certain turnpike roads in said county, and to levy a tax to pay off said bonds and interest thereon.

16. An act for the benefit of John W. McIlvain.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 3d and 10th to the Committee on the Judiciary; the 2d to the Committee on Public Expendi-

tures; the 4th to the Committee on Education; the 5th, 12th and 16th to the Committee on Claims; the 6th to the Committee on Immigration and Labor; the 7th to the Committee on Internal Improvements; the 8th to the Committee on Courts of Justice; the 9th to the Committee on Agriculture and Manufactures; the 11th to the Committee on Finance; the 13th and 14th to the Committee on Railroads, and the 15th to the Committee on General Statutes.

Messrs. Wilson and Hays asked to have their votes recorded in the affirmative on concurring in the adoption of an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend article 1, of chapter 47, entitled "Gaming," of General Statutes.

Which was granted.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Worthington, from the Committee on Railroads—

A bill authorizing the Judge of the Lewis County Court to subscribe stock in Maysville and Big Sandy Railroad Company, and providing for the issue of the bonds of Lewis county to raise said sum, and to levy a tax to pay the interest on the bonds and to pay off the bonds.

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to incorporate the National Railroad Agents' Association.

By same—

A bill to amend an act, entitled "An act to incorporate the Mechanics' Building Association, of Lexington."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Clay, from the Committee on Banks and Insurance, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Kentucky State Loan and Guaranty Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wallace presented the petition of the Ashland Council of the National Union, praying that said order be granted certain exemptions under the insurance laws of the State.

Which was received, the reading dispensed with, and referred to the Committee on General Statutes.

Mr. Rigney, from the Committee on Public Expenditures, moved that said committee be relieved from the further consideration of all reports of expenditures made by the Commissioners to the New Orleans Exposition, which had heretofore been referred to said committee, and that said reports be referred to the joint committee on the Geological Survey.

Which was so ordered.

Mr. Hays presented the petition of sundry citizens of Bowling Green, Laurel county, Lexington and Louisville, praying for a continuation of the Geological Survey and Bureau of Immigration.

Which were received, the reading dispensed with, and referred to the joint committee on the Geological Survey.

Mr. Hill presented the petition of sundry miners of Echols' mines, praying for the repeal of the law permitting convict labor in mines.

Which was received, the reading dispensed with, and referred to the Committee on Penitentiary and House of Reform.

Mr. Burnett, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to regulate and provide for the advertisement of

sales of real estate under judgments of courts of equity and executions in Morgan county,

Reported the same without amendment.

Mr. Taulbee moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend and reduce into one all the acts and amendments to the charter of the town of Germantown, in Mason and Bracken counties;

An act to incorporate the Grand Lodge of the Knights of Charity;

An act to incorporate the Falls City Amateur Base-ball Association;

And enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to amend article 1, of chapter 47, entitled "Gaming," of General Statutes;

An act for the benefit of J. W. Rowlett, of Hart county;

An act to authorize the County Court of Daviess county to make levies for pauper purposes;

An act to validate and legalize certain levies imposed for pauper purposes by the County Court of Daviess county;

An act concerning sheep and hogs in Jefferson county;

An act to incorporate the Blandville Baptist Male and Female College, in Ballard county;

An act to amend an act, entitled "An act to incorporate the Louisville Transfer Company," approved February 11, 1867;

Resolution raising committee to investigate book of accounts of Geologist;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed

his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Berry—

1. A bill to regulate telephone companies in this Commonwealth, and fixing a penalty for the violation thereof.

On motion of same—

2. A bill to incorporate the Frankfort Maennerchor Society.

On motion of Mr. Kendall—

3. A bill to abolish the office of Assessor, and to create a Board of Assessments in each county in the Commonwealth of Kentucky.

On motion of Mr. Dixon—

4. A bill to amend chapter 41, of the General Statutes.

On motion of Mr. Berry—

5. A bill for the benefit of the old State road, in Campbell county.

On motion of Mr Simon—

6. A bill giving the Sheriff of Grant county further time to settle with the Auditor.

On motion of Mr. Berry—

7. A bill for the benefit of the Clarysville, Grant's Lick and Butler Turnpike Company.

On motion of same—

8. A bill to amend the charter of the Newport and Licking Turnpike Company.

On motion of Mr. Gilbert—

9. A bill to amend chapter 99, of the General Statutes, entitled "Sergeant."

On motion of Mr. Berry—

10. A bill to incorporate the Deuber Watch Case Manufacturing Company.

On motion of same—

11. A bill to amend the charter of the Newport and Dayton Street Railway.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st, 5th, 7th, 8th, 10th and 11th; the Committee on Education the 2d; the Committee on the Judiciary the 3d, 6th and 9th, and the Committee on General Statutes the 4th.

Mr. Harris read and laid on the table a joint resolution, entitled

Resolution concerning the cancellation of the contract with Mason, Foard & Company.

And the rule of the Senate requiring said joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint advisory committees on the Greenwood mines be instructed to negotiate with Mason, Foard & Co. for rescindment of contract between the State and said firm, and to report at the earliest opportunity such settlement by bill or otherwise to the General Assembly for its approval or rejection.

The question was then taken on the adoption of said resolution and it was decided in the affirmative.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Jessamine Confederate Memorial Association.

An act to incorporate the Kentucky Household Gas Supply Company.

An act to amend the charter of the city of Maysville.

An act to amend the charter of DeKalb Lodge, No. 12, Independent Order of Odd Fellows, of Maysville.

An act to incorporate the Louisville Savings Investment Association.

An act to incorporate Coalton Lodge, No. 229, Independent Order of Odd Fellows, at Coalton, in Boyd county.

An act to incorporate the town of Hindman, in Knott county.

An act to incorporate the American Accident Company.

An act for the benefit of W. P. Sandidge, of Cumberland county.

An act to authorize the creation of a sinking fund for the liquidation of the funded debt of the city of Newport.

An act to authorize the city of Newport to issue $125,000 of bonds for water connection purposes.

An act for the benefit of John J. Kouns, late Sheriff of Boyd county.

An act to repeal an act, entitled "An act to authorize the city of Newport to refund its funded debt," approved April 15, 1884.

An act to incorporate the Spencer Cemetery Company.

An act to incorporate the Consolidated Lodge, Grand United Order of Odd Fellows.

An act to incorporate the Cumberland River Baptist Church, at Barbourville, Knox county, and for the protection of same from injury.

An act to incorporate the Union Gospel Mission, of Louisville, Kentucky.

An act to amend the charter of St. Paul's Church, in Henderson.

An act to amend an act incorporating the James H. Hall Eagle Plow Company, approved January 24, 1878.

An act to amend an act, entitled "An act to incorporate and establish a system of public schools in the town of Elkton, and within a radius of three miles of the court-house in said town," approved February 23, 1886.

An act to amend an act, entitled "An act to incorporate the Columbus Manufacturing Company," approved March 18, 1878.

An act to amend an act, entitled "An act to incorporate and establish a public school in the town of Elkton, and within a radius of three miles of the court-house in said town."

An act amending and repealing so much of the city charter of Louisville, and the amendments thereto, as is embraced in section 9, of the revision or codification of the said charter and amendments by Gilbert Burnett.

An act for the benefit of W. C. Comstock, lessee of the Mammoth Cave Hotel, in Edmonson county.

An act to amend the charter of the city of Louisville.

Mr. Price, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of Carl Schenck, of Campbell county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

Pending the consideration of said bill the hour of 11 o'clock A. M. having arrived, further action thereon was cut off.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to establish the county of Carlisle.

Mr. Martin moved that the further consideration of said bill be postponed until Thursday, April 15th.

Mr. Kendall moved that the further consideration of said bill be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Simon, were as follows, viz:

Those who voted in the affirmative, were—

S. H Boles,	J. D. Harris,	L. M. Martin,
C. M. Clay, Jr.,	H. T. Kendall,	J. T. Simon—7.
Henry Dixon,		

Those who voted in the negative, were—

M. C. Alford,	S. E. Hill,	J. R. W. Smith,
A. S. Berry,	J. H. McDanell,	E. R. Sparks,
R. A. Burnett,	W. F. Neat,	W. H. Taulbee,
W. J. Caudill,	J. W. Ogilvie,	Robert Walker,
W. M. Cravens,	J. N. Price,	F. T. D. Wallace,
W. H. Frederick,	F. D. Rigney,	E. L. Worthington,
G. G. Gilbert,	D. H. Smith,	J. H. Wilson—22.
R. G. Hays,		

The question was then taken on the motion made by Mr. Martin, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	J. D. Harris,	L. M. Martin,
C. M. Clay, Jr.,	H. T. Kendall,	J. T. Simon—6.

Those who voted in the negative, were—

M. C. Alford,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	J. H. McDanell,	W. H. Taulbee,
W. J. Caudill,	W. F. Neat,	Robert Walker,
W. M. Cravens,	J. W. Ogilvie,	F. T. D. Wallace,
Henry Dixon,	J. N. Price,	E. L. Worthington,
W. H. Frederick,	F. D. Rigney,	J. H. Wilson—20.
R. G. Hays,	J. R. W. Smith,	

Pending the consideration of said bill, Mr. Simon moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

THURSDAY, MARCH 25, 1886.

The reading of the Journal of yesterday was dispensed with.

The roll call was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to regulate the terms and times of the holding of the Circuit Courts in the Thirteenth Judicial District.

An act for the benefit of Will R. Speck, of Warren county.

An act to amend an act, entitled "An act to incorporate the town of Kirkmansville, in Todd county," passed April 7, 1882.

An act to repeal an act, entitled "An act to amend section 710, of the Civil Code of Practice," approved February 21, 1884, so far as the same applies to the county of Bath.

An act to amend an act, entitled "An act authorizing the Auditor to appoint agents to attend to revenue matters," approved April 29, 1880.

An act to provide for the working of persons committed to the custody of the Jailer of Pike, Letcher, Martin, Knott, Floyd, Johnson, Elliott and Carter.

An act to incorporate Midway Pilgrim Lodge, No. 1,943, Grand United Order of Odd Fellows.

An act to incorporate the Louisville Cemetery Association.

An act to incorporate the Ford Lumber and Manufacturing Company.

An act to amend the charter of the town of Central Covington, in Kenton county.

An act to provide for appointing and electing Commissioners for the county of Pendleton, and defining their duties and the duties of other county officers, and to provide for taking the sense of the qualified voters of said county on the approval of same.

An act to consolidate the Carlisle and Rogers Mill and the Flat Rock Turnpike Road Companies, and for the benefit of said companies.

An act for the benefit of Henry M. Booth, of Anderson county.

An act to incorporate the Bowling Green and Stallard Springs Telephone Company.

An act to incorporate the Catholic Knights of America Institute Company of Kentucky, at Louisville, Kentucky.

An act authorizing the Franklin County Court of Claims to elect a back tax collector, and define his powers and duties.

An act to establish two terms of the Fleming Circuit Court.

An act to repeal an act, entitled "An act to amend sections 1 and 3, of an act, entitled 'An act to amend and reduce into one the various acts in regard to Bardstown,'" approved April 19, 1884.

An act to incorporate the Frankfort, Belle Point and Leestown Street Railway Company.

An act to incorporate the Electric Light Company, of Owensboro.

An act prohibiting the sale, giving or loaning of spirituous,

vinous or malt liquors, or any mixture of either, within the corporate limits of Smith Grove, or within one mile thereof.

An act for the benefit of Lewis Prichard and John Patterson, of Carter county.

An act to amend an act, entitled "An act to incorporate the Falmouth and Lenoxburg Turnpike Road Company," approved May 5, 1880.

An act to amend section 20, chapter 42, title "Ferries," General Statutes, so far as the same applies to Warren county.

An act to incorporate the Little Fork United Baptist Church, in Elliott county.

An act to reduce into one all the acts in relation to the town of Greenville, in Muhlenberg county.

An act to prohibit stock from running at large in McCracken county, etc.

An act to amend the charter of the city of Carlisle, in Nicholas county.

An act creating a new voting precinct in the county of Campbell.

An act to prohibit the sale of spirituous, vinous or malt liquors in Glasgow Junction, in Barren county, and within one mile of the outside boundary of said town.

An act for the benefit of the Carlisle and East Union Turnpike Road Company.

That they had passed a bill which originated in the Senate, entitled

An act authorizing the Judge of the Lewis County Court to subscribe stock in Maysville and Big Sandy Railroad Company, and providing for the issue of the bonds of Lewis county to raise said sum, and to levy a tax to pay the interest on the bonds and to pay off the bonds.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Louisville Real Estate and Trust Association.

2. An act to authorize the Greenup County Court to issue bonds, etc.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Banks and Insurance, and the 2d to the Committee on Railroads.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to regulate elections for the purpose of making subscription of stock or other aid to railroads in Bourbon county.

By Mr. Hays, from the Committee on Finance—

A bill to amend an act incorporating the Security Storage Company, of Louisville, Ky., approved May 5, 1884.

By Mr. Burnett, from the Committee on General Statutes—

A bill to amend section 10 of an act, entitled "An act for the benefit of, and to reduce into one the several acts relating to, the town of Eddyville, approved January 25, 1868.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Speaker laid before the Senate the following report from the State Board of Health:

Said report was taken up and read as follows, viz:

FRANKFORT, KY., March 25, 1886.

HON. J. R. HINDMAN, *Speaker of the Senate:*

We, the undersigned members of the State Board of Health, acting in obedience to the provisions of an act, entitled "An act in relation to infectious and contagious diseases of cattle," commonly known as the pleuro-pneumonia law, passed at the present session of the General Assembly, beg leave to make the following report, viz:

That on the 17th, 18th and 19th days of March, 1886, we slaughtered, slashed and buried ninety-six cattle in Harrison county, they being all the cattle which had been exposed to the disease, pleuro-pneumonia, for which we paid to the owners thereof the following sums, to wit:

Jno. K. Lake, estate	65 cattle	$1,662 00
W. T. Handy	7 cattle	170 00
T. J. Megibbon	4 cattle	100 00
F. T. Reynolds	2 cattle	20 00
James Breman	1 cow	30 00
Catharine Shay	3 cows	90 00
James Doyle	1 cow	30 00
Wm. E. Slade	3 cattle	55 00
Ann Stewart	1 cow	30 00
J. T. Martin	1 cow	30 00
A. W. Lydick	1 cow	30 00
M. V. Bridwell	4 cattle	95 00
F. Sullivan	2 cattle	45 00
Jno. Cronin	1 cow	30 00
Total	96	$2,417 00

All of the above cattle were apparently free from the disease, but had been exposed thereto.

We killed and buried cattle owned by the following named persons, which cattle had the disease, pleuro-pneumonia, for which we paid nothing.

Jno. K. Lake, estate	7 cattle.
W. T. Handy	2 cattle.
Irvin Cox	2 cattle.
Total	11 cattle.

We can not close this report without commending the efficiency and active co-operation of W. H. Wray, D. V. S. Inspector of Bureau Animal Industry, and Dr. E. T. Haggard, who gave us great assistance in our work.

We, with great pleasure and confidence, can say that Kentucky is now free from pleuro-pneumonia.

We have quarantined all infected premises, subject to further order.

All of which is respectfully submitted.

ALBERT G. HERR,
DAVID A. GIVENS,
THOS. C. ANDERSON,
Commissioners.

Mr. Wallace read and laid on the table a joint resolution, entitled

Resolution directing Librarian to furnish Statutes and Codes to law library of the University of Michigan, at Ann Arbor.

And the rule of the Senate requiring said resolution to lie over one day being dispensed with,

Said resolution was taken up and read as follows, viz:

WHEREAS, There are two of Kentucky's sons attending the law department of the University of Michigan, who represent that there are now a full set of our Kentucky Reports in the library of said law department, and that they are desirous of completing the Kentucky laws in said library; they therefore request of the State of Kentucky that it, free of charge, furnish said library with the latest edition of the General Statutes and Codes of Practice; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the State Librarian be, and is hereby, directed to forward at once, free of cost, the latest edition of the General Statutes and Codes of Practice to the law library of the University of Michigan, Ann Arbor, Michigan.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Cravens, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to authorize the Carroll County Court to sell the delinquent tax list of said county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills and a joint resolution, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Louisville Transfer Company," approved February 11, 1867.

An act to validate and legalize certain levies imposed for pauper purposes by the County Court of Daviess county.

An act to incorporate the Blandville Baptist Male and Female College, in Ballard county.

An act concerning sheep and hogs in Jefferson county.

An act for the benefit of J. W. Rowlett, of Hart county.

An act to authorize the County Court of Daviess county to make levies for pauper purposes.

An act to amend the charter of the Kentucky School of Medicine, at Louisville.

An act to amend article 1, of chapter 47, entitled "Gaming," of General Statutes.

Resolution raising committee to investigate book of accounts of Geologist.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous or malt liquors or a mixture of either within three miles of the Baptist Meeting-house in the town of Hammonsville, in Hart county;

An act to amend the charter of the Jefferson Southern Pond Draining Company;

An act for the benefit of Susan Preston Hart, of Woodford county;

An act to amend an act, entitled "An act to amend, revise and reduce into one the several acts in regard to the town of Shepherdsville, Bullitt county," approved April 30, 1884;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the Ashland Building and Savings Association, of Lexington ;

An act empowering St. Paul's Protestant Episcopal Church, of Newport, Kentucky, to bond its debt ;

An act authorizing the Chicago, St. Louis and New Orleans Railroad Company, and the Illinois Central Railroad Company, or either of them separately to build and maintain a railroad bridge across the Ohio river ;

An act to enable any foreign corporation to acquire the property and franchises of the Kentucky Union Railway Company, and of the Central Kentucky Lumber, Mining, Manufacturing and Transportation Company;

An act to authorize Perry county to issue bonds for building court-house and jail ;

An act to amend the charter of the town of Shelbyville ;

An act for the benefit of the town of Carrollton ;

An act to incorporate the Esculapia Springs Company, Lewis county ;

An act to amend an act, entitled "An act to incorporate the Paducah Gas-light Company," approved March 2, 1886 ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate took up for consideration a bill, entitled

An act for the benefit of Carl Schenck, of Campbell county.

Mr. Hill moved an amendment to said bill.

Mr. Gilbert moved to recommit said bill and proposed amendment thereto to the joint committee on the Geological Survey.

And the question being taken thereon it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Berry, were as follows, viz :

Those who voted in the affirmative, were—

R. T. Albritton,	F. M. Clement,	L. M. Martin,
S. H. Boles,	G. G. Gilbert,	J. H. McDanell,
R. A. Burnett,	J. D. Harris,	J. T. Simon,
A. R. Byers,	S. E. Hill,	E. L. Worthington,
W. J. Caudill,	H. T. Kendall,	D. H. Smith—16.
C. M. Clay, Jr.,		

Those who voted in the negative, were—

A. S. Berry,	J. W. Ogilvie,	E. R. Sparks,
W. M. Cravens,	J. N. Price,	W. H. Taulbee,
W. H. Frederick,	F. D. Rigney,	F. T. D. Wallace,
R. G. Hays,	J. R. W. Smith,	J. H. Wilson—13.
W. F. Neat,		

Leave was granted Mr. Berry to introduce a bill, entitled

A bill to provide a better mode for securing and preserving liens in favor of mechanics in Kenton and Campbell counties.

Ordered, That the Committee on General Statutes prepare and bring in said bill.

The Senate, according to order, took up for consideration a bill, entitled

An act to establish the county of Carlisle.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the third day of May, 1886, so much of the county of Ballard, as lies south of Mayfield creek, and included in the following boundary, is hereby created into and established a separate county, to be known as the county of Carlisle, to wit: Beginning in the center of Mayfield creek, at the county line of Graves and Ballard counties; thence down said creek, with the center of the channel thereof, to the State line between the State of Kentucky and Missouri; thence south with said State line to the north-west corner of Hickman county; thence east with the Hickman county line to where it intersects with the Graves county line; thence north with the Graves county line to the beginning.

§ 2. That J. D. Wilds, of the county of Ballard, E. C. Hodge, of the county of Hickman, and J. W. Hocker, of the county of Graves, be, and they are hereby, appointed Commissioners to locate the county seat of Carlisle county, who shall meet in the town of Arlington, on the second Monday in May, 1886, and after being duly sworn, shall select a suitable place in said county for the county site thereof, having due regard for the best interest of the citizens of said county, and make

out in writing the boundary of said place so selected for said purpose; forward a copy thereof to the Secretary of State; deliver one copy to John Black, who shall record the same in the order book of the County Court of said county, and retain one copy in their possession.

§ 3. That the justices' districts, as they are now created in said county, shall remain as they now are; and that portion of the Blandville justices' district that is cut off of Ballard county by the creation of the county of Carlisle, shall form and be a justices' district; and the Justice, Robt. Carrol, who lives in said new district, shall continue as the Justice of said district until the next regular election for Justice of the Peace, when two Justices shall be elected; and the other Justices and Constables of said county shall hold their offices as Justices and Constable of Carlisle county until the next regular election for Justice and Constable, and shall hold their courts as may be directed by the County Court of Carlisle county.

§ 4. That T. P. Hays is hereby appointed County Judge of Carlisle County, and W. C. Ray, County Attorney, John Black, County Court Clerk, Jno. Ray, Circuit Court Clerk, and W. B. Fisher, Sheriff of said county; and the Governor of this State shall commission the said T. P. Hays as County Judge of Carlisle county; and the other officers mentioned in this section shall qualify and enter upon the discharge of their duties as such officers are now directed by law. The said T. P. Hays shall take the oath of office before some Justice of the Peace of said county, and shall execute bond as required by law, which bond shall be taken by, and certified to, and approved by the Justice of the Peace who administers the oath of office to said Hays, which shall make said bond binding and valid to all intents and purposes; and after said county is fully organized, said Justice shall file said bond, together with a certificate of the qualifications of said County Judge, in the County Clerk's office for said county. Said officers shall hold their offices until the August election in 1886, and until their successors are elected and qualified.

§ 5. The presiding Judge of the County Court and Justices of the Peace of said county, a majority concurring therein, are authorized and empowered to select suitable lots of ground at the county site of said county upon which to erect the necessary county buildings, and to purchase and make provisions for the payment therefor by levying a poll-tax not exceeding three dollars upon each tithable in said county from year to year, until the same is fully paid; and they may receive the lot of ground by donation; and when so purchased or donated, the vendor or donor shall make proper deeds therefor to the County Court and the county, for the use and benefit of said county; and they may receive subscription in work or material or money, to be used in the execution or payment for the erection of the necessary buildings.

§ 6. The County Courts shall be held on the first Monday in each month, and the Quarterly Courts on the Tuesday after the first Mondays in March, June, September and December.

§ 7. The County Court of Carlisle shall provide suitable buildings in which to hold the Circuit and County Courts, and keep the clerk's office until public buildings shall be provided, and while the courts are held at the places so provided all advertisements, notices, etc., required to be put up at the court-house door, or sales or other acts to be done at the court-house door shall be legal and binding, if done at the place provided for holding courts aforesaid.

§ 8. The County Court of Carlisle shall allow each of the Commissioners named in this act and to their assistants reasonable compensation for their services, to be paid out of the county levy.

§ 9. The assessment of the property of Carlisle county for the year 1886, shall remain as taken by the Assessor of Ballard county, and the list so taken of the property in Carlisle county shall be delivered to the County Clerk of said county, and the taxes therein shall be collected and accounted for by the Sheriff of Carlisle county, and the county of Carlisle shall pay its proportional part of any and all debts or claims against the county of Ballard that may have been allowed or ordered paid up to the day this act takes effect.

§ 10. The court of Carlisle county shall have the use of the jail of Ballard county, and the Jailer of Ballard county shall receive all persons committed from Carlisle county under the same rules as if committed from Ballard county until a suitable jail is erected in the county of Carlisle.

§ 11. The County Judge of said county shall, at the expense of said county, purchase all necessary record books for the offices of County Clerk, Circuit Clerk, and County Judge of said county.

§ 12. The county of Carlisle is hereby attached to the Fourth Judicial District for the holding of Circuit Court, for the election of a Judge to the Appellate Court, and to the First District for the election to a Judge to the Supreme Court, and to the First Judicial District for the holding of Circuit Court, and the time for holding of the Circuit Court in said county shall be on the first Mondays in April and October, and continue six days.

§ 13. All suits and the papers and orders therein pending in the several courts of Ballard county, wherein the defendant resides in the county of Carlisle shall be transferred to the courts of similar jurisdiction in the county of Carlisle so soon as the officers are qualified therein.

§ 14. The qualified voters of Carlisle county shall vote for Representative with the county of Ballard and with the Second Senatorial District for State Senator and with the First Congressional District for Congress.

§ 15. The Commissioners named in section 2 of this act, shall name the county site when they locate the same.

§ 16. All acts and parts of acts in full force and effect in the county of Ballard shall be in full force and effect in the county of Carlisle.

§ 17. This act shall take effect from and after the third day of May, 1886.

The question was then taken, "Shall said bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Hays, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. M. Cravens,	F. D. Rigney,
A. S. Berry,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	F. T. D. Wallace,
W. J. Caudill,	J. W. Ogilvie,	J. H. Wilson—17.
F. M. Clement,	J. N. Price,	

Those who voted in the negative, were—

S. H. Boles,	H. T. Kendall,	D. H. Smith,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
Henry Dixon,	J. H. McDanell,	E. R. Sparks—11.
J. D. Harris,	J. T. Simon,	

Paired: Bryan, yea; Gilbert, nay.

Paired: Bush, yea; Hill, nay.

Mr. Martin moved to amend said bill as follows, viz:

Amend by striking out the enacting clause.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	H. T. Kendall,	J. T. Simon,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
Henry Dixon,	J. H. McDanell,	D. H. Smith—10.
J. D. Harris,		

Those who voted in the negative, were—

R. T. Albritton,	W. M. Cravens,	F. D. Rigney,
A. S. Berry,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	E. R. Sparks,
A. R. Byers,	W. F. Neat,	W. H. Taulbee,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	J. N. Price,	J. H. Wilson—18.

Paired: Gilbert, yea; Bryan, nay.

Paired: Hill, yea; Bush, nay.

Mr. Simon moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs Simon and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	H. T. Kendall,	J. T. Simon,
Henry Dixon,	L. M. Martin,	D. H. Smith—7.
J. D. Harris,		

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	J. R. W. Smith,
R. A. Burnett,	S. E. Hill,	E. R. Sparks,
A. R. Byers,	J. H. McDanell,	W. H. Taulbee,
W. J. Caudill,	W. F. Neat,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. W. Ogilvie,	E. L. Worthington,
F. M. Clement,	J. N. Price,	J. H. Wilson—22.
W. M. Cravens,		

Mr. Caudill moved that the session of the Senate be extended until the bill under consideration should be disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Caudill and Albritton, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	J. R. W. Smith,
R. A. Burnett,	J. H. McDanell,	E. R. Sparks,
A. R. Byers,	W. F. Neat,	W. H. Taulbee,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	J. N. Price,	J. H. Wilson—19.
W. M. Cravens,		

Those who voted in the negative, were—

S. H. Boles,	H. T. Kendall,	E. L. Worthington,
C. M. Clay, Jr.,	L. M. Martin,	D. H. Smith—8.
Henry Dixon,	J. T. Simon,	

Mr. Martin moved that the further consideration of said bill be postponed until July 4, 1886.

Mr. D. H. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Simon, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	J. D. Harris,	E. L. Worthington,
Henry Dixon,	H. T. Kendall,	L. M. Martin—6.

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	J. R. W. Smith,
R. A. Burnett,	J. H. McDanell,	E. R. Sparks,
A. R. Byers,	W. F. Neat,	W. H. Taulbee,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	J. N. Price,	J. H. Wilson—19.
W. M. Cravens,		

Mr. Harris moved to amend said bill as follows, viz:

Strike out section 17 of the act, and substitute the following in lieu thereof: At the August election in the year, 1886, the vote shall be taken by the qualified voters of Ballard county upon the question as to whether the county of Carlisle shall or shall not be created, at which election the officers holding the same shall propound to each voter the question: "Are you for or against the creation of the county of Carlisle," and the vote shall be recorded as he responds. The poll upon said question

shall be compared by the same officers as are required to compare the vote for county officers, and shall certify such result at the time they compare the vote for county officers, and if a majority of the votes cast be in favor of the creation of said new county, then in ten days after said comparison this act shall go into effect and said new county be established; but if the majority of said votes be adverse to the creation of said county, the same shall not be created. Amend by striking out of first section, third day of May, 1886, and inserting the following: Ten days after the election hereinafter provided, if at said election a majority of the voters voting at said election shall vote in favor of the new county that this act seeks to create.

Mr. Sparks moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taulbee and Martin, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	J. R. W. Smith,
R. A. Burnett,	J. H. McDanell,	E. R. Sparks,
A. R. Byers,	W. F. Neat,	W. H. Taulbee,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	J. N. Price,	J. H. Wilson—19.
W. M. Cravens,		

In the negative—S. H. Boles—1.

The question was then taken on the motion made by Mr. Martin to postpone the further consideration of said bill until July 4, 1886, and it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Harris to said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. D. H. Smith and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

H. T. Kendall,	J. H. McDanell,	E. R. Sparks—3.

Those who voted in the negative, were—

R. T. Albritton,	W. M. Cravens,	F. D. Rigney,
A. S. Berry,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	F. T. D. Wallace,
W. J. Caudill,	J. W. Ogilvie,	J. H. Wilson—17.
F. M. Clement,	J. N. Price,	

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Simon and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. M. Cravens,	J. N. Price,
A. S. Berry,	W. H. Frederick,	F. D. Rigney,
R. A. Burnett,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	W. F. Neat,	F. T. D. Wallace,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—18.

Those who voted in the negative, were—

C. M. Clay, Jr.,	L. M. Martin,	D. H. Smith,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
J. D. Harris,	J. T. Simon,	E. R. Sparks—9.

Paired: Bryan, yea; Gilbert, nay.

Paired: Bush, yea; Hill, nay.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Caudill moved to lay said motion on the table.

Mr. D. H. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the motion made by Mr. Caudill to table the motion made by Mr. J. R. W. Smith to reconsider the vote by which the Senate had passed said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	J. R. W. Smith,
R. A. Burnett,	J. H. McDanell,	E. R. Sparks,
A. R. Byers,	W. F. Neat,	W. H. Taulbee,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	J. N. Price,	J. H. Wilson—19.
W. M. Cravens,		

In the negative—none.

Before the vote was taken on the preceding motion, Mr. D. H. Smith asked to be excused from voting on said motion.

And the question being taken thereon, it was decided in the negative.

The name of Mr. D. H. Smith was then called, and he, being present, refused to vote thereon.

Mr. Clay moved to reconsider the vote by which the Senate had refused to excuse Mr. D. H. Smith from voting on said motion.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and J. R. W. Smith, were as follows, viz:

In the affirmative—W. M. Cravens—1.

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	J. R. W. Smith,
A. S. Berry,	R. G. Hays,	E. R. Sparks,
R. A. Burnett,	W. F. Neat,	W. H. Taulbee,
A. R. Byers,	J. W. Ogilvie,	F. T. D. Wallace,
W. J. Caudill,	J. N. Price,	J. H. Wilson—17.
F. M. Clement,	F. D. Rigney,	

Mr. J. R. W. Smith moved a call of the Senate.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Martin, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	J. N. Price,
A. S. Berry,	W. H. Frederick,	F. D. Rigney,
R. A. Burnett,	R. G. Hays,	D. H. Smith,
A. R. Byers,	L. M. Martin,	J. R. W. Smith,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee,
C. M. Clay, Jr.,	W. F. Neat,	F. T. D. Wallace,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—22.
W. M. Cravens,		

In the negative—none.

Mr. Clay moved to reconsider the vote by which a call of the Senate was ordered.

Mr. J. R. W. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Byers, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. W. Ogilvie,
A. S. Berry,	J. D. Harris,	J. N. Price,
R. A. Burnett,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	E. R. Sparks,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	J. H. McDanell,	F. T. D. Wallace,
F. M. Clement,	W. F. Neat,	J. H. Wilson—21.

In the negative—F. D. Rigney—1.

The roll of the Senate was then called, and the following Senators responded to their names, viz:

R. T. Albritton,	W. H. Frederick,	F. D. Rigney,
A. S. Berry,	J. D. Harris,	J. T. Simon,
S. H. Boles,	R. G. Hays,	D. H. Smith,
R. A. Burnett,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	L. M. Martin,	E. R. Sparks,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee,
C. M. Clay, Jr.,	W. F. Neat,	F. T. D. Wallace,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—26.
Henry Dixon,	J. N. Price,	

Messrs. Bryan, Bush, Feland, Grundy, McKee and Triplett were absent on leave.

The Speaker of the Senate ordered the Sergeant-at-Arms to close the doors and bring in the absent Senators.

Mr. D. H. Smith moved that the Senate excuse Mr. Alford for his absence.

And the question being taken thereon, it was decided in the negative by the casting vote of Hon. James R. Hindman, Lieutenant-Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Clay and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	H. T. Kendall,	J. T. Simon,
C. M. Clay, Jr.,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	W. H. Taulbee,
R. G. Hays,	J. N. Price,	F. T. D. Wallace—12.

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	D. H. Smith,
R. A. Burnett,	W. F. Neat,	J. R. W. Smith,
A. R. Byers,	J. W. Ogilvie,	J. H. Wilson,
W. J. Caudill,	F. D. Rigney,	J. R. Hindman—13.
F. M. Clement,		

The Sergeant-at-Arms brought Mr. Gilbert before the bar of the Senate.

Mr. Taulbee moved that the Senate excuse Mr. Gilbert for his absence.

Mr. Wallace moved to dispense with further proceedings under the call.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Clay, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	W. H. Taulbee—5.
C. M. Clay, Jr.,	E. R. Sparks,	

Those who voted in the negative, were—

R. T. Albritton,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	J. H. McDanell,	D. H. Smith,
A. R. Byers,	W. F. Neat,	J. R. W. Smith,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	J. N. Price,	J. H Wilson—16.
W. M. Cravens,		

Mr. D. H. Smith moved to reconsider the vote by which the Senate had refused to dispense with further proceedings under the call.

Mr. Clay moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Martin, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Frederick, J. R. W. Smith—2.

Those who voted in the negative, were—

R. T. Albritton,	R. G. Hays,	D. H. Smith,
R. A. Burnett,	J. H. McDanell,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	F. T. D. Wallace,
W. J. Caudill,	J. W. Ogilvie,	J. H. Wilson—14.
F. M. Clement,	J. N. Price,	

The question was then taken on the motion made by Mr. D. H. Smith to reconsider the vote by which the Senate had refused to dispense with further proceedings under the call, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Clay, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. F. Neat,	W. H. Taulbee,
R. A. Burnett,	J. N. Price,	F. T. D. Wallace,
W. J. Caudill,	F. D. Rigney,	J. H. Wilson—11.
F. M. Clement,	J. R. W. Smith,	

Those who voted in the negative, were—

R. G. Hays,	J. H. McDanell,	D. H. Smith—5.
H. T. Kendall,	J. W. Ogilvie,	

Mr. D. H. Smith moved to lay on the table the motion made by Mr. Wallace to dispense with further proceedings under the call.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Clay, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr., Henry Dixon—2.

Those who voted in the negative, were—

R. T. Albritton,	R. G. Hays,	D. H. Smith,
A. R. Byers,	J. H. McDanell,	J. R. W. Smith,
W. J. Caudill,	W. F. Neat,	W. H. Taulbee,
F. M Clement,	J. W. Ogilvie,	F. T. D. Wallace,
W. M. Cravens,	F. D. Rigney,	J. H. Wilson—16.
W. H. Frederick,		

The Sergeant-at-Arms brought Mr. Hill before the bar of the Senate.

Mr. J. R. W. Smith moved to excuse Mr. Hill for his absence.

Mr. D. H. Smith moved to lay said motion on the table.

Pending the consideration of which motion, Mr. Wallace moved to dispense with further proceedings under the call.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Clay, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. R. W. Smith,
A. S. Berry,	H. T. Kendall,	E. R. Sparks,
S. H. Boles,	J. H. McDanell,	W. H. Taulbee,
R. A. Burnett,	J. W. Ogilvie,	F. T. D. Wallace—14.
C. M. Clay, Jr.,	F. D. Rigney,	

Those who voted in the negative, were—

A. R. Byers,	J. D. Harris,	D. H. Smith,
F. M. Clement,	R. G. Hays,	J. H. Wilson—7.
W. M. Cravens,		

On motion of Mr. J. R. W. Smith, the Senate then adjourned.

FRIDAY, MARCH 26, 1886.

The Journal of yesterday was read and approved.

The roll call was dispensed with.

On motion of Mr. Simon, leave of absence, indefinitely, was granted Mr. Boles.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to authorize the Greenup County Court to issue bonds, etc.

By Mr. Rigney, from the Committee on Public Expenditures—

An act to authorize the Board of Trustees of the town of Danville to issue bonds to the amount of five thousand dollars ($5,000) for purpose of raising money to pay bonds to said amount issued to pay for stock in the Danville Gas-light Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

A bill to amend an act providing for the improvement of the Fountain Ferry Road, in Jefferson county, from the western boundary of the city of Louisville to the bank of the Ohio river at the cost of the property benefited thereby, approved April 21, 1882.

By Mr. Caudill, from the Committee on Internal Improvements—

A bill to incorporate the London Manchester and Whitesburg Telephone and Telegraph Company.

Mr. Price moved the following resolution, viz:

Resolved, That the Public Printer be, and he is hereby, instructed to print two hundred copies of the report of the Commissioners appointed by an act of the Legislature at its last session to correct the errors, if any, in the former settlement with Newton Craig; also to append thereto the reports made by Commissioners dated February 3, 1869, and statements of Grant Green and Jas. W. Withrow, former Commissioners, dated April 20, 1880.

Mr. D. H. Smith moved to amend said resolution as follows, viz:

Amend by adding the report of the legislative committee to investigate the claim of Newton Craig, made at the session of 1879-80.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Neat, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	R. G. Hays,	D. H. Smith,
A. S. Berry,	H. T. Kendall,	J. R. W. Smith,
S. H. Boles,	L. M. Martin,	W. H. Taulbee,
R. A. Burnett,	J. H. McDanell,	R. S. Triplett,
W. J. Caudill,	L. W. McKee,	Robert Walker,
C. M. Clay, Jr.,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	J. N. Price,	E. L. Worthington,
W. H. Frederick,	F. D. Rigney,	J. H. Wilson—26.
J. D. Harris,	J. T. Simon,	

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	W. F. Neat—4.
A. R. Byers,		

Mr. Hays presented the petition of John Baumeister, of Louisville, praying for the allowance of a claim for the erection of certain exhibition structures at the Louisville Exposition.

Which was received, the reading dispensed with, and referred to the joint committee on the Geological Survey.

Mr. Berry, from the Committee on Education, to whom was recommitted a bill, entitled

An act to secure cheaper text-books for the common schools of this Commonwealth,

Reported the same without amendment.

On motion of Mr. Cravens,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, March 31st, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Frederick, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to regulate the tolls on the Bardstown and Louisville Turnpike,

Reported the same without amendment.

Pending the consideration of said bill, the hour of 11 o'clock A. M. having arrived, further action thereon was cut off.

The Senate, according to order, took up for consideration a bill, entitled

An act for the benefit of the Central Lunatic Asylum, at Anchorage.

On motion of Mr. Burnett,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday, April 1st, at 11 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Madison and South-eastern Railway Company.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration a bill, entitled

An act to amend article 7, of chapter 41, of the General Statutes, title "Fees."

[*For bill, see Senate Journal, February 27th.*]

Mr. Martin moved that the further consideration of said bill be postponed indefinitely.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Martin and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	T. S. Grundy,	W. F. Neat,
A. S. Berry,	J. D. Harris,	J. N. Price,
A. R. Byers,	R. G. Hays,	F. D. Rigney,
W. J. Caudill,	H. T. Kendall,	J. T. Simon,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
W. H. Frederick,	J. H. McDanell,	J. H. Wilson—20.
G. G. Gilbert,	L. W. McKee,	

Those who voted in the negative, were—

R. A. Burnett,	J. W. Ogilvie,	R. S. Triplett,
F. M. Clement,	D. H. Smith,	E. L. Worthington,
Henry C. Dixon,	J. R. W. Smith,	F. T. D. Wallace—10.
S. E. Hill,		

Mr. Wilson moved to reconsider the vote by which the Senate had postponed the consideration of said bill indefinitely.

And the question being taken thereon, it was decided in the affirmative.

Mr. Triplett moved to amend said bill as follows, viz:

This act shall only apply to the county of Daviess.

Mr. D. H. Smith moved to amend said bill as follows, viz:

Amend section 2 as follows, to wit: "*Provided*, That no Sheriff in any county shall receive from the State Treasury under this act an amount exceeding $200 per year."

Mr. Rigney moved to amend the amendment proposed by Mr. D. H. Smith to said bill as follows, viz:

By inserting $100 instead of $200.

Mr. Gilbert moved to lay said bill and proposed amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Martin, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	G. G. Gilbert,	L. W. McKee,
A. S. Berry,	T. S. Grundy,	W. F. Neat,
A. R. Byers,	J. D. Harris,	J. N. Price,
W. J. Caudill,	H. T. Kendall,	J. T. Simon,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
F. M. Clement,	J. H. McDanell,	J. H. Wilson—19.
W. H. Frederick,		

Those who voted in the negative, were—

M. C. Alford,	J. W. Ogilvie,	R. S. Triplett,
R. A. Burnett,	F. D. Rigney,	Robert Walker,
R. G. Hays,	D. H. Smith,	E. L. Worthington,
S. E. Hill,	J. R. W. Smith,	F. T. D. Wallace—12.

So said bill was rejected.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 26, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

Scott Walker, Cumberland county.
T. A. Ratliff, Campbell county.
H. C. McDowell, Jr., Fayette county.
J. B. Russell, Green county.
J. S. Cralle, Jefferson county.
Aaron Kohn, Jefferson county.
J. W. Nichols, Jefferson county.
Wm. M. James, Sr., Ohio county.
J. L. Clemens, Livingston county.
Leslie Thompson, Montgomery county.
H. C. Mason, Campbell county.
J. S. Ellison, Bullitt county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to regulate and provide for the advertisement of sales of real estate under judgments of courts of equity and executions in Morgan county;

An act to prohibit the sale, barter or traffic in spirituous, vinous or malt liquors in any quantity whatever, or for any purpose whatever in Hart county;

An act for the benefit of Constables in the city of Louisville and Jefferson county;

An act to incorporate the Kentucky State Loan and Guaranty Company;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to authorize the county of Mason to subscribe to the capital stock of railroad companies;

An act to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto, approved May 12, 1884;

An act authorizing the Judge of the Lewis County Court to subscribe stock in Maysville and Big Sandy Railroad Company, and providing for the issue of the bonds of Lewis county to raise said sum, and to levy a tax to pay the interest on the bonds and to pay off the bonds;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Clay moved the following resolution, viz:

Resolved, That when the previous question is ordered by the Senate, it shall not operate to cut off any amendment offered and read to the Senate before the vote shall be taken on ordering the same.

Which, under the rule of the Senate, lies over one day.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act incorporating the Louisville Natural Gas and Heating Company.

Said amendment reads as follows, viz:

Add to section 5 the following:

"*Provided*, That nothing in this act shall be construed to interfere with the exclusive rights and privileges conferred upon the Economic Heating Company."

Amend section 6 by striking out the word "Bullitt" wherever it appears.

Mr. J. R. W. Smith moved to amend said amendment as follows, viz:

Strike out of House amendment to section 5, which reads as follows, viz:

"*Provided*, That nothing in this act shall be construed to interfere with the exclusive rights and privileges conferred upon the Economic Heating Company," all of said words.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said amendment, as amended, and it was decided in the affirmtive.

Mr. Hill moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend and reduce into one the various acts in regard to the town of Whitesville, in Daviess county," approved April 16, 1882.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Hill moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gilbert presented a communication from John R. Procter, State Geologist.

Which was received and the reading dispensed with.

Ordered, That said communication be printed, and referred to the joint committee on the Geological Survey.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Clay—

1. A bill to authorize the Librarian to appoint a watchman for the public buildings.

On motion of Mr. J. R. W. Smith—

2. A bill to regulate the price of manufactured gas in the city of Louisville, Ky.

On motion of same—

3. A bill to amend the charter of the Louisville Gas Company, and regulate the price of gas.

On motion of Mr. Walker—

4. A bill to empower the County Court of Allen county to subscribe stock in turnpike and gravel roads.

On motion of Mr. Kendall—

5. A bill to amend subsection 1, of section 1, of article 2, of chapter 16, of the General Statutes.

Ordered, That the Committee on Library, Public Buildings and Offices prepare and bring in the 1st; the Committee on Finance the 2d and 3d; the Committee on Internal Improvement the 4th; and the Committee on General Statutes the 5th.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Grand Lodge of the Knights of Charity.

An act to incorporate the Falls City Amateur Base-ball Association.

An act to amend and reduce into one all the acts and

amendments to the charter of the town of Germantown, in Mason and Bracken counties.

That they had concurred in the amendments adopted by the Senate to bills which originated in the House of Representa- of the following titles, viz:

An act to incorporate the Louisville Training School for Nurses, of Louisville, Ky.

An act to regulate and provide for the advertisement of sales of real estate under judgment of courts of equity and executions in Morgan county.

That they had disagreed to a bill which originated in the Senate, entitled

An act to incorporate the Frankfort City Railway Company.

That they had concurred in the adoption of a resolution and passed bills which originated in the Senate, of the following titles, viz:

Resolution raising a joint committee to investigate the expenditure of moneys for the Institution for the Education of the Blind.

An act to establish a normal school in Bowling Green, Warren county.

An act to amend the charter of the city of Louisville in relation to the public charities thereof.

An act incorporating the Union Benevolent Society, of Cynthiana, Kentucky.

An act to amend the charter of the Silver Creek Turnpike Company, in Madison county.

An act to authorize and empower the city of Hopkinsville to provide the means for and to aid in the construction of the Hopkinsville and Cadiz Railroad, and of any of the branches thereof.

An act to incorporate the Hopkinsville Branch Railroad Company.

An act for the benefit of the Johnson Steel Street Rail Company, and to increase its corporate powers.

An act for the benefit of the Medical Superintendent of the Western Kentucky Lunatic Asylum.

An act to incorporate the Citizens' Street Railway Company.

With an amendment to the last-named bill.

That they had passed bills and adopted a resolution, of the following titles, viz:

1. An act to incorporate the City Passenger Railway Company.

2. An act to incorporate the Sacramento and Central City Railway Company.

3. An act to incorporate the Grayson Springs Railroad Company.

4. An act to provide for the organizing, maintaining and supervising of common schools in the town of Pikeville and vicinity, in Pike county.

5. An act authorizing the Chicago, St. Louis and New Orleans Railroad Company to build a branch railroad.

6. An act to amend the charter of Masonic Widows' and Orphans' Home and Infirmary.

7. An act authorizing the trustees of the M. E. Church, in Vanceburg, Kentucky, to convey lot 48 in said city to T. M. Gaines, S. Rugless, B. W. Parker, Alfred Harrison and S. B. Piercel.

8. An act to amend an act, entitled "An act to authorize and empower precinct No. 3, Livermore, McLean county, to compromise and fund its bonded debt," approved April 13, 1880.

9. An act to authorize and empower the County Court of Martin county to issue the bonds of said county to pay for the right of way of the Chattaroi Railway Company through said county.

10. An act to legalize the action of the Board of Commissioners of the Asylum for the Tuition of the Deaf and Dumb, at Danville.

11. An act to amend an act, entitled "An act to incorporate the Clarksville and Princeton Railroad Company," approved April 15, 1880.

12. An act authorizing Floyd County Court to issue bonds of said county for the payment of right of way of any railway company.

13. An act to incorporate the Anderson Hill Inclined Plane and Railway Company.

14. An act to incorporate the Paint Creek Narrow Gauge Railroad Company.

15. An act to amend the charter of the Short Route Railway Transfer Company.

16. An act to incorporate the Louisville and Madison Railway Company.

17. An act incorporating the Madisonville, Providence and Claysville Railway Company.

18. An act to amend an act, entitled "An act to incorporate the Central University."

19. An act to amend an act, entitled "An act to provide for the payment of debts contracted in building and furnishing a school-house, and for maintaining a school in district No. 1, in Pendleton county," approved March 28, 1884.

20. An act to amend the charter of the Baptist Female College, at Bardstown," approved February 27, 1865.

21. An act to incorporate the Highland Street Railway Company, of the cities of Newport and Dayton and the town of Bellevue, in Campbell county.

22. An act to amend the charter of the Columbus and Tennessee River Railway Company.

23. An act to amend an act, entitled "An act to incorporate the Louisville and Great Western Railway Company."

24. An act to incorporate the Silver Crown Mining, Manufacturing and Lumber Company.

25. An act to incorporate the Burlington Cemetery Company.

26. Joint resolution in relation to establishing Arbor Day.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the 1st, 2d, 3d, 5th, 11th, 14th, 15th, 16th, 17th, 21st, 22d and 23d to the Committee on Railroads; the 4th and 19th to the Committee on Education; the 6th and 10th to the Committee on Charitable Institutions; the 7th and 25th to the Committee on Religion and Morals; the 8th to the Committee on Courts of Justice; the 9th and 12th to the Committee on General Statutes; the 13th to the Committee on the Judiciary; the 18th to the Committee on Appropriations; the 24th to the Committee on Inter-

nal Improvements, and the 26th to the Committee on Agriculture and Manufactures.

And the 20th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Berry moved the following resolution, viz:

Resolved, That the Sergeant-at-Arms of the Senate proceed to Greenwood mines, in the county of Pulaski, and summon R. B. Allen, the person who took the proof before a committee of this body, and take possession of the proof so taken and bring it to the Senate of Kentucky.

Mr. Burnett moved that the session of the Senate be extended until the resolution under consideration shall be disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. J. R. W. Smith moved that the further consideration of said resolution be postponed until Monday, March 29th.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hill and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	J. W. Ogilvie,	J. R. W. Smith—5.
R. G. Hays,	E. L. Worthington,	

Those who voted in the negative, were—

R. T. Albritton,	J. D. Harris,	J. N. Price,
A. S. Berry,	H. T. Kendall,	F. D. Rigney,
A. R. Byers,	L. M. Martin,	J. T. Simon,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee,
G. G. Gilbert,	L. W. McKee,	R. S. Triplett,
T. S. Grundy,	W. F. Neat,	J. H. Wilson—18.

Mr. Wilson moved the following amendment as a substitute for said resolution, viz:

Resolved, That the committee appointed to investigate the treatment of convicts in coal mines be requested to summon R. Buckner Allen, to appear immediately before it with the proof taken by him as stenographer for said committee.

Mr. Martin moved the following amendment as a substitute for said resolution, viz:

Resolved, That the Clerk of the Senate be directed to issue a *subpœna duces tecum* for Buckner Allen, and the proof taken before the joint committee on Penitentiary at Greenwood mines, directed to the Sergeant-at-Arms, returnable forwith.

Mr. Alford moved to lay said resolution and proposed amendments on the table.

And the question being taken thereon, it was decided in the negative.

Mr. Gilbert moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Wilson as a substitute for said resolution, and it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

On motion of Mr. Wallace, the Senate then adjourned.

SATURDAY, MARCH 27, 1886.

In the absence of the regular Speaker, and at his request, the Hon. R. G. Hays took the chair and presided.

The reading of the Journal of yesterday was dispensed with.

The roll call was dispensed with.

On motion of Mr. Martin, leave of absence, indefinitely, was granted Messrs. Clay, Burnett, Rigney, Boles, Price, Harris, Alford and Gilbert.

A message was received from the House of Representatives announcing that they had concurred in the adoption of a joint resolution which originated in the Senate, entitled

Resolution directing Librarian to furnish Statutes and Codes to law library of the University of Michigan, at Ann Arbor.

Mr. McKee moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to authorize the County Court of Franklin county to issue bonds for the purpose of funding the present floating debt of said county.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. McKee moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to regulate the rental allowed for use of telephones, and fixing a penalty for its violation,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Berry,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday, April 2d, at 11:30 o'clock A. M., and from day to day until disposed of.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the

Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Paducah Gas-light Company," approved March 2, 1886.

An act to incorporate the Esculapia Springs Company, Lewis county.

An act for the benefit of the town of Carrollton.

An act to amend the charter of the town of Shelbyville.

An act to authorize Perry county to issue bonds for building court-house and jail.

An act empowering St. Paul's Protestant Episcopal Church, of Newport, Kentucky, to bond its debt.

An act authorizing the Judge of the Lewis County Court to subscribe stock in the Maysville and Big Sandy Railroad Company, and providing for the issue of the bonds of Lewis county to raise said sum, and to levy a tax to pay the interest on the bonds and to pay of the bonds.

An act to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto, approved May 12, 1884.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to provide for and regulate the holding of examining courts in this Commonwealth, and fixing the fees of the County Judge, Justices of the Peace and Police Judges and other officers when sitting in examining courts,

Reported the same with an amendment.

Which was adopted.

Mr. J. R. W. Smith moved an amendment to said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Ogilvie, from the Committee on Internal Improvements, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Richmond Natural Gas Light, Motive Power and Fuel Company,

Reported the same without amendment.

Mr. Wallace moved an amendment to said bill.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to authorize the Carroll County Court to sell the delinquent tax list of said county;

An act to amend and reduce into one the several acts in relation to roads and bridges in Union county;

An act to incorporate the Louisville Training School for Nurses, of Louisville;

An act to authorize the Greenup County Court to issue bonds, etc;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to establish a normal school in Bowling Green, Warren county;

An act to authorize and empower the city of Hopkinsville to provide the means for and to aid in the construction of the Hopkinsville and Cadiz Railroad, and of any of the branches thereof;

An act for the benefit of the Johnson Steel Street Rail Company, and to increase its corporate powers.

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Neat reported that the committee had performed that duty.

Mr. Frederick, from the Committee on Internal Improvements, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act incorporating the Central Coal and Iron Company, approved March 18, 1876,

Reported the same without amendment.

Mr. Wilson objected to the further reading of said bill on this day.

Ordered, That said bill be placed in the orders of the day.

Mr. Kendall, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend article 4, chapter 12, of General Statutes,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Wallace, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend section 13, article 1, chapter 5, of the General Statutes,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Taulbee, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of Claysville, Grant's Lick, and Butler Turnpike Company,

Reported the same with expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Simon moved an amendment to said bill.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wallace, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to repeal an act, entitled "An act to create the office of road commissioner, in Johnson county, and to provide for the appointment of the same,"

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Wallace, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to repeal an act, entitled "An act to amend section 19, chapter 42, General Statutes,"

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Martin, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to quiet land titles in this Commonwealth,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wilson,

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Wednesday, April 7th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Worthington, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to fix the salaries of *pro tem.* Judges of Circuit Courts, Common Pleas and Criminal Courts, and *pro tem.* Commonwealth's Attorneys of the Commonwealth of Kentucky,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wilson moved that the further consideration of said bill be postponed, and made the special order of the day for Tuesday, March 30th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clement and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Taulbee,	J. H. Wilson—5.
J. R. W. Smith,	Robert Walker,	

Those who voted in the negative, were—

A. R. Byers,	S. E. Hill,	J. W. Ogilvie,
W. J. Caudill,	H. T. Kendall,	J. T. Simon,
F. M. Clement,	L. M. Martin,	D. H. Smith,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett,
W. H. Frederick,	L. W. McKee,	E. L. Worthington,
T. S. Grundy,	W. F. Neat,	F. T. D. Wallace—18.

Mr. J. R. W. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That *pro tem.* Judges of Circuit, Common Pleas, and Criminal Courts, and *pro tem.* Commonwealth's Attorneys of the Commonwealth of Kentucky, shall receive for each day's services performed as said Judge or Commonwealth's Attorney, the sum of seven dollars, payable out of the State Treasury; and it shall be the duty of the Auditor to deduct the amount paid to said *pro tem.* officers from the sums of money to be paid said officers of the regular term holding by law: *Provided, however*, That the amount paid *pro tem.* officers shall in nowise exceed the amount of his salary; and

this act shall not apply to any officer now holding said offices, but shall take effect from and after the first Monday in August, 1886.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	S. E. Hill,	J. T. Simon,
A. R. Byers,	H. T. Kendall,	D. H. Smith,
W. J. Caudill,	L. M. Martin,	J. R. W. Smith,
F. M. Clement,	J. H. McDanell,	R. S. Triplett,
W. M. Cravens,	L. W. McKee,	Robert Walker,
W. H. Frederick,	W. F. Neat,	E. L. Worthington,
T. S. Grundy,	J. W. Ogilvie,	F. T. D. Wallace—21.

Those who voted in the negative, were—

R. G. Hays,	W. H. Taulbee,	J. H. Wilson—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Caudill moved to reconsider the vote by which the Senate had passed said bill.

Mr. Wilson moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Wallace—

1. A bill for the benefit of John H. Weddington, of Elliott county.

On motion of same—

2. A bill to amend an act, entitled "An act to amend article 3, chapter 5, of the General Statutes, title 'Attorneys,' and to enlarge the duties of County Attorneys thereunder."

On motion of Mr. McDanell—

3. A bill to incorporate the Caney Fork Baptist Church, in Owen county.

On motion of Mr. Wallace—

4. A bill directing the State Librarian to have water from the Frankfort water-works turned into the fountain in Capitol Square, and authorizing her to continue use of same.

On motion of Mr. Berry—

5. A bill to repeal an act to incorporate the Kenton County and Campbell County Bridge Company.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on General Statutes the 2d; the Committee on Religion and Morals the 3d; the Committee on Library, Public Buildings and Offices the 4th; and the Committee on Courts of Justice the 5th.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

A bill to amend the charter of the Newport and Dayton Street Railway,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Grundy, from the Committee on Claims—

A bill for the benefit of Adam Rueling.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

A bill to amend an act, entitled "An act to establish a road district in Jefferson county," approved May 12, 1884.

By Mr. Hill, from the Committee on Courts of Justice—

A bill for the benefit of the old State road in Campbell county.

By same—

A bill to incorporate the Deuber Watch Case and Manufacturing Company.

By Mr. Taulbee, from the same committee—

A bill to amend the charter of the Newport and Licking Turnpike Company.

By Mr. Simon, from the Committee on Executive Affairs—

A bill to extend the limits and change the boundary of the city of Cynthiana.

By Mr. Ogilvie, from the Committee on Internal Improvements—

A bill to incorporate the Junction City, Rolling Fork and Bradfordsville Turnpike Road Company.

By Mr. McDanell, from the same committee—

A bill to limit the amount of the indebtedness of Gallatin county for turnpike purposes.

By Mr. Wallace, from the Committee on General Statutes—

A bill to change the manner of spelling Menifee county.

By same—

A bill for the benefit of M. F. Garred, of Lawrence county, to protect his ferry rights.

By same—

A bill fixing the fees of Jailers for dieting prisoners.

By Mr. D. H. Smith, from the same committee—

A bill for the benefit of D. E. Phillips, of Jefferson county.

By Mr. Wilson, from the same committee—

A bill to prevent the selling, bartering, exchanging or trafficking in spirituous, vinous or malt liquors, or any mixture thereof in the Canton voting precinct, in Trigg county.

By Mr. Worthington, from the Committee on the Judiciary—

A bill to incorporate the Pendleton Natural Gas and Fuel Company.

By Mr. Simon, from the same committee—

A bill to divide precinct No. (1) one, in Pendleton county, into two voting places.

By same—

A bill to amend chapter 99, of the General Statutes, entitled "Sergeant."

By Mr. Berry, from the Committee on Education—

A bill to incorporate the Frankfort Mannæchor Society.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. J. R. W. Smith, from the Committee on Charitable Institutions—

An act to amend the charter of the Masonic Widows' and Orphans' Home and Infirmary.

By Mr. Ogilvie, from the Committee on Internal Improvements—

An act to amend the title of an act, entitled "An act to incorporate the Paducah Electric Light and Heating Company," approved March 12, 1880.

By same—

An act to incorporate the Madison Club, of Richmond, Kentucky.

By Mr. Kendall, from the Committee on General Statutes—

An act to regulate the time for holding the Bullitt County Court.

By same—

An act to include McCracken county in the game law, approved March 11, 1876.

By same—

An act to amend sections 6 and 8, of chapter 70, General Statutes.

By same—

An act to amend and continue in force an act, entitled "An act to incorporate the town of Paynesville, in the county of Meade."

By same—

An act to incorporate the Cumberland County Sulphur Spring.

By Mr. Wallace, from the same committee—

An act to change the time of holding the Court of Claims in Elliott county.

By Mr. Wilson, from the same committee—

An act to repeal so much of section 7, chapter 81, of the General Statutes, as makes the offices of Surveyor and Deputy Clerk incompatible.

By same—

An act to amend an act, entitled "An act to amend and reduce into one all the acts and laws in relation to the town of Trenton, in Todd county," approved March 24, 1884.

By same—

An act to establish a Treasurer for Harlan county.

By same—

An act fixing the compensation of Justices of the Peace of Pulaski county sitting as a Court of Claims.

By same—

An act to amend an act, entitled "An act regulating tax on circuses, menageries, theatres, etc., in Kentucky," approved March 14, 1876.

By Mr. Martin, from the Committee on the Judiciary—

An act to amend the charter of the town of Bellevue, Campbell county.

By same—

An act authorizing the appointment of a Treasurer for Scott county and agent for the McCracken fund.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester," approved February 2, 1882.

By same—

An act to amend the charter of the Jamestown district, in Campbell county, approved April 4, 1884.

By same—

An act to extend the limits of the town of North Middletown, in Bourbon county.

By same—

An act to exempt members of the fire department of Winchester from the payment of poll-tax and from jury service.

By same—

An act for the benefit of the Carlisle and Pleasant Spring Turnpike Road Company, in Nicholas county.

By Mr. Worthington, from the same committee—

An act to incorporate the Fairview Cemetery Company, of Shelby county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Triplett, the Senate then adjourned.

MONDAY, MARCH 29, 1886.

The reading of the Journal of Saturday was dispensed with.

The roll call was dispensed with.

A message was received from the House of Representatives announcing that they had passed a bill, entitled

An act ceding control of Salt river, in Kentucky, to the United States for the purpose of locking and damming same, and authorizing the United States to hold and acquire land adjacent to said river for that purpose.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wilson moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act regulating tax on circuses, menageries, theatres, etc., in Kentucky," approved March 14, 1876.

Which motion was simply entered.

Mr. Frederick moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act, entitled "An act to establish a road district in Jefferson county," approved May 12, 1884.

Which motion was simply entered.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had ordered that a bill, entitled

An act to regulate the rental allowed for use of telephones and fixing a penalty for its violation,

Should be made a special order of the day for Friday, April 2d, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. J. R. W. Smith,

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

Mr. J. R. W. Smith reported a bill, entitled

A bill providing for the erection of a monument over the grave of Humphrey Marshall.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. J R. W. Smith,

Ordered, That the further consideration of said bill be post-

poned, and that said bill be made the special order of the day for Friday, April 2d, at 11 o'clock A. M., and from day to day until disposed of.

On motion of Mr. Cravens,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill, entitled

An act to abolish the building known as the "Back Capitol," declaring same a nuisance.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Cravens moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Worthington, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act to appoint an Inspector of Scales and Assistant Weigher at coal mines in this State,

Reported the same without amendment.

On motion of Mr. Wilson,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday, March 30th, at 11:30 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to regulate the tolls on the Bardstown and Louisville Turnpike.

On motion of Mr. Frederick,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday, March 30th, at 10:45 o'clock A. M., and from day to day until disposed of.

Mr. Berry, from the Committee on Education, to whom was recommitted a bill, entitled

An act to amend chapter 18, General Statutes,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That on and after the thirty-first day of December, 1886, there shall be taught in all the common schools of this Commonwealth physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system. All teachers must be examined in this as in other studies required by law.

§ 2. No certificate shall be granted to any person to teach in the common schools of this State who shall not pass a satisfactory examination in physiology and hygiene, with special reference to the effect of alchoholic drinks, stimulants and narcotics upon the human system.

§ 3. Any teacher failing to comply with the provisions of this law shall forfeit his or her certificate, and be deemed disqualified, and shall be refused a certificate to teach a common school in this Commonwealth thereafter.

§ 4. This act shall take effect from its passage.

Mr. Cravens moved to amend said bill as follows, viz:

Amend by striking out thirty-first December, 1886, and inserting in lieu thereof first of September, 1887.

And the question being taken thereon it was decided in the affirmative.

Mr. D. H. Smith moved to amend said bill as follows, viz:

Amend by striking from the bill the words: "With special reference to the effects of alcoholic liquors, stimulants and narcotics upon the human system," wherever they occur therein.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to authorize precinct No. 1, in Larue county, to subscribe stock in the Hodgenville and Elizabethtown Railroad Company.

By Mr. Worthington, from the Committee on Propositions and Grievances—

A bill for the benefit of John H. Weddington, of Elliott county.

By Mr. Triplett, from the Committee on Library, Public Buildings and Offices—

A bill directing the State Librarian to have water from the Frankfort water-works turned into the fountain in Capitol Square and authorizing her to continue use of same.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Worthington, from the Committee on Propositions and Grievances—

An act for the benefit of Isaac C. Adair, of Hancock county.

By same—

An act for the benefit of Brent Talbott, of Boyle county.

By Mr. Hill, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to authorize and empower precinct No. 3, Livermore, McLean county, to compromise and fund its bonded debt," approved April 13, 1880.

By Mr. Berry, from the Committee on Education—

An act to provide for the organizing, maintaining and supervising of common schools in the town of Pikeville and vicinity, in Pike county.

By Mr. Wilson, from the Committee on General Statutes—

An act to authorize the County Court of Harlan county to issue bonds to raise money to build a court-house.

By Mr. Martin, from the Committee on the Judiciary—

An act to incorporate the Anderson Hill Inclined Plane and Railway Company.

By Mr. Worthington, from the Committee on Propositions and Grievances—

An act to amend an act, entitled "An act to incorporate the Drennon Springs Company, in Henry county," approved April 4, 1884.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. R. W. Smith moved that the Clerk be directed to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the Senate, entitled

An act to repeal an act, entitled "An act to provide for a geological survey and mineralogical survey of the State," approved March 22, 1873.

And the question being taken thereon, it was decided in the negative, a quorum of the Senate not voting thereon.

The yeas and nays being required thereon by Messrs. Berry and Martin, were as follows, viz:

Those who voted in the affirmative, were—

J. T. Simon,	R. S. Triplett,	E. L. Worthington,
J. R. W. Smith,	F. T. D. Wallace,	J. H Wilson—6.

Those who voted in the negative, were—

A. S. Berry,	T. S. Grundy,	L. M. Martin.
A. R. Byers,	S. E. Hill,	W. F. Neat—6.

Mr. Frederick, from the Committee on Agriculture and Manufactures, to whom was referred a resolution from the House of Representatives, entitled

Joint resolution in relation to establishing "Arbor Day,"

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Martin—

1. A bill, entitled "An act to regulate the transportation of coal by railroads in this Commonwealth."

On motion of Mr. Worthington—

2. A bill, entitled "An act to amend an act, entitled 'An act to incorporate the Walton and Frazee Turnpike Road Company in Mason county,'" approved March 7, 1868.

On motion of Mr. Kendall—

3. A bill to incorporate the Hardin County Natural Gas Company.

On motion of Mr. Wallace—

4. A bill to amend section 34, of the charter of the city of Ashland, Boyd county.

On motion of same—

5. A bill to amend section 574, of Civil Code of Practice.

On motion of Mr. Berry—

6. A bill, entitled "An act to provide a better mode for securing and preserving liens in favor of mechanics."

On motion of Mr. Clement—

7. A bill to repeal an act, entitled "An act to establish a Bureau of Agriculture, Horticulture and Statistics," approved March 20, 1876.

Ordered, That the Committee on the Judiciary prepare and and bring in the 1st; the Committee on Propositions and Grievances the 2d; the Committee on Internal Improvements the 3d; the Committee on General Statutes the 4th and 6th; the Committee on Codes of Practice the 5th; and the Committee on Agriculture and Manufactures the 7th.

And then the Senate adjourned.

TUESDAY, MARCH 30, 1886.

The Journal of yesterday was read and approved.

The roll call was dispensed with.

On motion of Mr. Clay, leave of absence, indefinitely, was granted Mr. Alford.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous or malt liquors, or a mixture of either, within three miles of the Baptist Meeting-house, in the town of Hammonsville, in Hart county.

An act for the benefit of Susan Preston Hart, of Woodford county.

An act to amend the charter of the Jefferson Pond Draining Company.

An act to amend an act, entitled "An act to amend, revise, and reduce into one the several acts in regard to the town of Shepherdsville, Bullitt county," approved April 13, 1884.

An act to regulate and provide for the advertisement of sales of real estate under judgments of courts of equity and executions in Morgan county.

An act to prohibit the sale, barter or traffic in spirituous, vinous or malt liquors in any quantity whatever, or for any purpose whatever, in Hart county.

An act for the benefit of Constables in the city of Louisville and Jefferson county.

An act to incorporate the Kentucky State Loan and Guaranty Company.

That they had refused to concur in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to provide for and regulate the holding of examining courts in this Commonwealth, and fixing the fees of the County

Judge, Justices of the Peace and Police Judges and other officers when sitting in examining courts,

And thereupon requested the appointment of a committee of conference to take into consideration the disagreement of the two Houses in regard to said amendment.

Whereupon, the Speaker submitted said proposition to the Senate, who directed that he appoint a committee in accordance with the request of the House of Representatives.

Whereupon, the Speaker appointed Messrs. Feland, Gilbert and Burnett on the part of the Senate.

That they had passed a bill which originated in the Senate, entitled

An act to charter the Clay County High School Company.

That they had passed bills of the following titles, viz:

1. An act to authorize County Courts to appoint special administrators for the collection and distribution of French and Spanish spoliation claims.

2. An act to regulate the sale of lightning rods in this Commonwealth.

3. An act to incorporate the congregation of the Presbyterian Church at Burksville, Cumberland county, and to exempt the same from taxation.

4. An act to amend an act, entitled "An act to provide for the assessment and collection of a tax upon distilled spirits," approved April 21, 1882.

5. An act for the benefit of W. A. Thompson, late Sheriff of Elliott county.

6. An act to amend the charter of the city of Louisville.

7. An act to amend an act, entitled "An act to incorporate the Barren River Turnpike Road Company, in Warren county."

8. An act to incorporate the West Kentucky and Tennessee Railway Company.

9. An act to grant the consent of the State of Kentucky to the acquisition by the United States of lands within the city of Owensboro, for the purpose of erecting public buildings, and ceding to the United States jurisdiction over the same.

10. An act to amend an act, entitled "An act to revise and amend the charter of the city of Dayton, Campbell county," approved March 7, 1876.

11. An act to incorporate the Young Men's Mutual Life Association, of Kentucky.

12. An act to repeal an act, entitled "An act to incorporate the Middleburg Seminary, in Casey county," approved April 27, 1879.

13. An act to amend the charter of the town of Lewisburg, in Logan county.

14. An act to permit defendants in all penal and criminal prosecutions to testify.

15. An act for the benefit of the Kentucky Institution for the Education of Deaf Mutes, at Danville.

16. An act for the benefit of C. B. Fox, of Clark county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 9th to the Committee on Federal Relations; the 2d to the Committee on General Statutes; the 3d to the Committee on Religion and Morals; the 4th to the Committee on Finance; the 7th to the Committee on Internal Improvements; the 8th to the Committee on Railroads; the 10th to the Committee on the Judiciary; the 11th to Committee on Banks and Insurance; the 12th to the Committee on Education; the 13th to the Committee on Courts of Justice; the 15th to the Committee on Charitable Institutions, and the 16th to the Committee on Claims.

Ordered, That the 5th and 6th named bills, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Worthington,

Ordered, That the further consideration of the 14th named bill be postponed, and that said bill be printed and made the special order of the day for Friday, April 2d, at 11 o'clock A. M., and from day to day until disposed of.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the

Governor had approved and signed sundry enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of the Johnson Steel Street Rail Company, and to increase its corporate powers.

An act to incorporate the Ashland Building and Saving Association, of Lexington.

An act to authorize the county of Mason to subscribe to the capital stock of railroad companies.

An act to establish a normal school in Bowling Green, Warren county.

An act authorizing the Chicago, St. Louis and New Orleans Railroad Company, and the Illinois Central Railroad Company, or either of them separately to build and maintain a railroad bridge across the Ohio river.

Mr. Caudill moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to provide for the organizing, maintaining and supervising of common schools in the town of Pikeville and vicinity, in Pike county.

Which motion was simply entered.

On motion of Mr. Gilbert,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24, 1869.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Gilbert moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Gilbert moved an amendment to said bill.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to regulate the tolls on the Bardstown and Louisville Turnpike.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays presented the remonstrance of the American Bell Telephone Company, protesting against the passage of a bill regulating telephone rates.

Which was received, the reading dispensed with, and referred to the Committee on Courts of Justice.

Mr. Hill, from the joint advisory committee appointed to investigate matters relative to the contract of Mason, Foard & Company, as lessees of the convict labor of the Kentucky Penitentiary, laid before the Senate the report of the majority of said committee.

Said report reads as follows, viz:

The joint advisory committee appointed to investigate the convict labor troubles, and to suggest such remedies as the emergency demands, would respectfully suggest:

First. That the contract with the Mason-Foard Company was made to extend from April 1, 1885, to April 1, 1889, under a law which authorized the contract to be made, and this contract can not be annulled by any resolution or law that this General Assembly may enact without the consent of the parties. But there is a clause in said contract which permits the State to withdraw all convicts upon giving six months' notice in writing, when sufficient accommodations are made within the walls, or for the purpose of using them in the construction of a branch Penitentiary. Therefore, we ought to stand by this contract, because we can not do otherwise; but we disapprove

of working convicts in the mines in competition with free labor. We urge such appropriations and legislation as will secure the completion of the branch Penitentiary at an early date.

Second. We urge that the Commissioners of the Sinking Fund give immediate notice to withdraw as many convicts as can be profitably employed on the branch prison.

Third. We urge an immediate repeal of the law under which convicts can be leased out for mining purposes; and advise the Sinking Fund Commissioners to forthwith give notice to the Mason-Foard Company, as above indicated, and at the end of six months withdraw the convicts from the mines, and place them within the walls.

We think the branch Penitentiary, by proper management and appropriations, can be prepared to receive them by that time.

Fourth. We urge the law-abiding citizens of the State to obey the law, and refrain from violence, and wait until, by legal means, these results can be attained.

SAM. E. HILL,
G. G. GILBERT,
C. M. CLAY, JR.,
F. P. STRAUS,
G. TERRY,
THOS. E. MOSS.

The undersigned concurs in the foregoing recommendations. He does not express any opinion as to the effect the repeal of the law will have upon the contract with Mason-Foard Company.

PHIL. B. THOMPSON, SR.

Mr. Wilson, from said committee, laid before the Senate the report of the minority of said committee.

Said report reads as follows, viz:

The undersigned minority of the advisory committee, to investigate the convict labor troubles, being unable to concur in the report of the majority, respectfully submit the following suggestions, viz:

First. That the Sinking Fund Commissioners be requested to annul the contract leasing the convicts to the Mason-Foard Company, unless said company shall agree to immediately withdraw all convicts from coal mines and shall agree to cease working them in coal mines.

Second. That the law authorizing the working of convicts in coal mines be repealed.

Third. That the Governor be requested to withdraw the soldiers from the Greenwood coal mines, in Pulaski county, as it is deemed inexpedient to enforce at the point of the bayonet, contracts authorizing employment of convicts in coal mines, contrary to public sentiment and the dictates of humanity.

Fourth. That the branch Penitentiary, at Eddyville, be completed as early as possible.

JOHN H. WILSON,
A. S. BERRY.

On motion of Mr. Feland,

Ordered, That the further consideration of said reports be postponed, and that said reports be printed and made the special order of the day for Thursday, March 31st, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Taulbee moved that the rules be suspended, and that the Senate take up for consideration a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization," approved May 10, 1884.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	J. D. Harris,	D. H. Smith,
A. R. Byers,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
F. M. Clement,	W. F. Neat,	R. S. Triplett,
John Feland,	F. D. Rigney,	J. H. Wilson—16.
T. S. Grundy,		

Those who voted in the negative, were—

R. T. Albritton,	S. E. Hill,	J. T. Simon,
A. S. Berry,	L. M. Martin,	Robert Walker,
C. M. Clay, Jr.,	J. H. McDanell,	E. L. Worthington,
Henry Dixon,	L. W. McKee,	F. T. D. Wallace—13.
W. H. Frederick,		

Mr. Feland, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

A bill to amend section 553, of the Civil Code of Practice,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Feland, from the Committee on Charitable Institutions, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Grand Lodge of the United Brothers of Friendship of the State of Kentucky,"

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Feland, from the Committee on Codes of Practice, reported a bill, entitled

A bill to amend section 574, of the Civil Code of Practice.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 574, of chapter 3, title 13, of the Civil Code of Practice, be amended as follows: At the end of the word interrogations there shall be added to said section, "except in actions and proceedings for divorce and alimony and the custody of children when involved in such a suit."

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	S. E. Hill,	J. R. W. Smith,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	L. M. Martin,	Robert Walker,
W. J. Caudill,	J. H. McDanell,	F. T. D. Wallace,
Henry Dixon,	J. T. Simon,	E. L. Worthington,
John Feland,	D. H. Smith,	J. H. Wilson—19.
R. G. Hays,		

Those who voted in the negative, were—

C. M. Clay, Jr.,	J. D. Harris,	F. D. Rigney,
G. G. Gilbert,	W. F. Neat,	R. S. Triplett—7.
T. S. Grundy,		

Resolved, That the title of said bill be as aforesaid.

Mr. Bryan moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Anderson Hill Inclined Plane and Railway Company.

Which motion was simply entered.

Mr. Feland, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act to repeal an act, entitled "An act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization," approved May 10, 1884.

Mr. Martin moved that the further consideration of said bill be postponed until Wednesday, March 31st, at 11:20 o'clock A. M.

Mr. Taulbee moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the motion made by Mr. Martin, and it was decided in the affirmative.

Mr. Clay moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Martin, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	L. M. Martin,	Robert Walker,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	L. W. McKee,	F. T. D. Wallace—11.
S. E. Hill,	J. T. Simon,	

Those who voted in the negative, were—

R. A. Burnett,	J. D. Harris,	D. H. Smith,
A. R. Byers,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
John Feland,	W. F. Neat,	R. S. Triplett,
G. G. Gilbert,	F. D. Rigney,	J. H. Wilson—16.
T. S. Grundy,		

Mr. Triplett moved that the session of the Senate be extended until the bill under consideration should be disposed of.

And the question being taken thereon, it was decided in the negative.

Mr. Berry moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	S. E. Hill,	L. W. McKee,
A. S. Berry,	L. M. Martin,	E. L. Worthington,
W. M. Cravens,	J. H. McDanell,	F. T. D. Wallace—10.
W. H. Frederick,		

Those who voted in the negative, were—

J. W. Bryan,	G. G. Gilbert,	D. H. Smith,
R. A. Burnett,	T. S. Grundy,	J. R. W. Smith,
A. R. Byers,	J. D. Harris,	W. H. Taulbee,
W. J. Caudill,	H. T. Kendall,	R. S. Triplett,
F. M. Clement,	W. F. Neat,	J. H. Wilson—17.
John Feland,	F. D. Rigney,	

Mr. Neat moved the previous question.

Mr. Berry moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	J. H. McDanell,
A. S. Berry,	W. H. Frederick,	L. W. McKee,
C. M. Clay, Jr.,	R. G. Hays,	E. L. Worthington,
F. M. Clement,	L. M. Martin,	F. T. D. Wallace—13.
W. M. Cravens,		

Those who voted in the negative, were—

J. W. Bryan,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	J. D. Harris,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	W. F. Neat,	R. S. Triplett,
John Feland,	F. D. Rigney,	J. H. Wilson—16.
G. G. Gilbert,		

The question was then taken, "Shall the main question be now put?" and it was decided in the negative by the casting vote of Hon. James R. Hindman, Lieutenant-Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Wallace and Hill, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	T. S. Grundy,	D. H. Smith,
A. R. Byers,	J. D. Harris,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
John Feland,	W. F. Neat,	R. S. Triplett,
G. G. Gilbert,	F. D. Rigney,	J. H. Wilson—15.

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	L. W. McKee,
A. S. Berry,	R. G. Hays,	J. T. Simon,
J. W. Bryan,	S. E. Hill,	E. L. Worthington,
C. M. Clay, Jr.,	L. M. Martin,	F. T. D. Wallace,
F. M. Clement,	J. H. McDanell,	J. R. Hindman—16.
W. M. Cravens,		

On motion of Mr. Feland,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, March 31st, at 10:45 o'clock A. M., and from day to day until disposed of.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Bryan—

1. A bill to amend section 26, of chapter 24, of General Statutes.

On motion of Mr. Gilbert—

2. A bill to authorize the State Librarian to purchase certain books.

On motion of Mr. J. R. W. Smith—

3. A bill to amend the charter of the Fidelity Trust and Safety Vault Company.

On motion of same—

4. A bill to amend the charter of the Louisville Safety Vault and Trust Company.

Ordered, That the Committee on General Statutes prepare and bring in the 1st; the Committee on Library, Public Buildings and Offices the 2d, and the Committee on Courts of Justice the 3d and 4th.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Brent Talbott, of Boyle county;

An act to extend the limits of the town of North Middletown, in Bourbon county;

An act to amend the charter of the city of Louisville;

An act to include McCracken county in the game law, approved March 11, 1876;

An act to regulate the time for holding the Bullitt County Court;

An act for the benefit of the Carlisle and Pleasant Spring Turnpike Road Company, in Nicholas county;

An act to repeal so much of section 7, chapter 81, of the General Statutes, as makes the offices of Surveyor and Deputy Clerk incompatible;

An act to amend the charter of the town of Bellevue, Campbell county;

An act to establish a Treasurer for Harlan county;

An act to amend an act, entitled "An act to amend and reduce into one all the acts and laws in relation to the town of Trenton, in Todd county," approved March 24, 1884;

An act authorizing the appointment of a Treasurer for Scott county and agent for the McCracken fund;

An act to amend the charter of the Jamestown district, in Campbell county, approved April 4, 1884;

An act to incorporate the Richmond Natural Gas Light, Motive Power and Fuel Company;

An act to incorporate the Fairview Cemetery Company, of Shelby county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester," approved February 2, 1882;

An act to incorporate the Bowling Green and Northern Railroad Company;

An act to incorporate the Kenton Game Preserve Club;

An act to establish the county of Carlisle;

An act to authorize the Board of Trustees of the town of Danville to issue bonds to the amount of five thousand dollars ($5,000) for purpose of raising money to pay bonds to said amount issued to pay for stock in the Danville Gas-light Company;

An act to amend the charter of the Baptist Female College, at Bardstown, approved February 27, 1865;

And enrolled bills which originated in the Senate of the following titles, viz:

An act incorporating the Union Benevolent Society, of Cynthiana, Kentucky;

An act to incorporate the Hopkinsville Branch Railroad Company;

An act to amend the charter of the city of Louisville in relation to the public charities thereof;

An act to incorporate the Madison and South-eastern Railway Company;

An act to amend the charter of the Silver Creek Turnpike Company, in Madison county;

An act for the benefit of the Medical Superintendent of the Western Kentucky Lunatic Asylum;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

On motion of Mr. Feland, the Senate then adjourned.

WEDNESDAY, MARCH 31, 1886.

The reading of the Journal of yesterday was dispensed with.

The roll call was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to authorize the Carroll County Court to sell the delinquent tax list of said county.

An act to incorporate the Louisville Training School for Nurses.

That they had concurred in the adoption of a resolution and passed bills which originated in the Senate, of the following titles, viz:

Resolution urging Kentucky Representatives in Congress to secure the passage of an act pensioning Mexican soldiers.

An act to establish a system of common schools in the town of Dixie, in Henderson county.

An act for the benefit of common school district No. 37, Boyd county.

An act conferring certain powers on the trustees of school district No. 16, in Campbell county.

An act to amend an act, entitled "An act to maintain a graded school in Hartford, and to provide for the erection of school buildings therein," approved March 16, 1878.

An act to confirm and legalize an election held March 16, 1885, in school district No. 19, in Fleming county.

An act to authorize the trustees of common school district No. 2, in the county of Lee, to sell the school-house and site, and invest the proceeds in other school property for the use of said district.

An act changing the boundary of common school district No. 29, in Lyon county.

An act to provide for the re-organization, maintenance and supervision of common school in the town of Louisa and vicinity.

An act to establish a normal school at Tompkinsville, in Monroe county.

An act to empower the County Superintendent to redistrict the schools of Mason and Breathitt.

An act to incorporate the Cynthiana Library.

An act to amend an act, entitled "An act to establish the boundary line between school district No. 80, in Lawrence county, and No. 26, in Boyd county."

An act for the benefit of common school district No. 7, Boyd county.

An act to amend an act, entitled "An act to incorporate the Harrison Female College," approved January 24, 1880.

An act providing for the adoption and use of trade-marks for timber dealers, and to regulate the fees for taking up floating timber, staves, railroad ties, etc., and prescribing the manner of collecting the same on the Big Sandy and Ohio rivers.

An act to incorporate the Ohio Valley Telephone Company.

An act to repeal an act requiring certain legal advertisements in Pendleton county to be inserted in any paper in general circulation published in Pendleton county, approved April 24, 1880.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to charter the Eddyville Male and Female Academy, in Lyon county," approved March 5, 1872, and providing for the election of a school board, and for a rate upon a school tax.

2. An act to incorporate the Summer Shade Institute, in Metcalfe county.

3. An act to enlarge the boundary of the common school district of the city of Newport, in Campbell county.

4. An act to establish and incorporate a public library in the city of Paducah.

5. An act to authorize the trustees of common school district No. 25, in Fleming and Bath counties, to levy and collect a tax for the benefit of the common school property in said district.

6. An act for the benefit of school district No. 83, Pulaski county.

7. An act for the benefit of J. W. Forbes, teacher of common school district No. 61, in Henry county, for years 1883–84.

8. An act to amend the second section of an act, entitled "An act to incorporate Blandville College, Ballard county," approved January 22, 1866.

9. An act for the benefit of school district No. 18, in Kenton county.

10. An act to amend section 8, article 8, chapter 1330, Public Acts, 1883–84, entitled "An act to amend and reform the school laws of this Commonwealth, so far as the same applies to district No. 64, Lawrence county."

11. An act to establish a public school in Morganfield, in Union county.

12. An act to enable and empower the Paducah public school board to sell, lease or alter the University building in said city.

13. An act to establish a system of public graded schools in district No. 47, East Point.

14. An act to incorporate and establish a system of public schools in the town of Russellville, and within a radius of three miles of the court-house in said town.

15. An act for the benefit of common school district No. 60, in Lincoln county.

16. An act to establish, supervise, organize and maintain the Stone Coal graded common school in district No. 2, in Pike county.

17. An act to organize, supervise and maintain a common school in common school district No. 49, on John's creek, in Pike county.

18. An act for the benefit of colored common schools of Pike county, and to authorize the Superintendent and Board of Examiners of common schools of Pike county to issue special license to persons to teach colored common schools of said county.

19. An act authorizing the county court of Meade county to issue bonds to pay the indebtedness of said county, and to repeal an act, entitled "An act authorizing the County Levy Court of Meade county to levy an additional *ad valorem* tax," approved January 25, 1886, and to repeal an act, entitled "An act authorizing the County Court of Meade county to issue bonds to pay the indebtedness of said county," approved January 14, 1886.

20. An act to repeal an act, entitled "An act regulating the pay of the Sheriff of Floyd county."

21. An act to amend the revenue laws of this Commonwealth.

22. An act to repeal chapter 198, of the Acts of 1884.

23. An act for the benefit of common school district No. 12, in Taylor county.

24. An act to change the name of the South Carrollton Male and Female Institute to the West Kentucky Classical and Nor-

mal College, and regulate the course of study for teachers therein.

25. An act for the benefit of the branch Penitentiary at Eddyville.

26. An act to incorporate Maple Hill Female College, in Grant county.

27. An act to incorporate the Mt. Sterling Music College, of the city of Mt. Sterling.

28. An act to amend an act, entitled "An act to incorporate the town of Flemingsburg, Fleming county, Kentucky," approved April 29, 1880.

29. An act for the benefit of John T. Martin, of Trimble county, and to change the line between the counties of Henry and Trimble.

30. An act to repeal all acts or parts of acts that gave to normal schools, etc., the right to issue diplomas or certificates to persons to teach in the common schools of this State.

31. An act to incorporate the Kentucky State Horticultural Society.

32. An act to change school district No. 25, in Hopkins county.

33. An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for organizing and establishing a system of public schools in Winchester,'" approved May 8, 1884.

34. An act to change the boundary line of school district No. 43, in Clarke county, so as to include certain farms now in school district No. 51, in said county.

35. An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for organizing and establishing a system of public schools in Winchester,'" approved April 24, 1882.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 23d, 24th, 26th, 30th, 32d, 33d, 34th and 35th to the Committee on Education;

the 4th and 29th to the Committee on Courts of Justice ; the 9th and 28th to the Committee on the Judiciary ; the 19th, 20th and 22d to the Committee on General Statutes ; the 21st to the Committee on Finance ; the 25th to the Committee on Penitentiary and House of Reform ; the 27th to the Committee on Banks and Insurance, and the 31st to the Committee on Agriculture and Manufactures.

Mr. Bryan withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Anderson Hill Inclined Plane and Railway Company.

The Senate took up for consideration the motion heretofore entered by Mr. Boles to reconsider the vote by which the Senate had refused to order to a third reading, the opinion of the committee to the contrary notwithstanding, a bill which originated in the House of Representatives, entitled

An act to empower Logan county to retire the bonds of said county, to create a sinking fund, to provide for commissioners of same, and to provide for the collection of taxes for that purpose in said county.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hill moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnett, from the special joint committee appointed to investigate the treatment of convicts in coal mines, laid before the Senate the following report, viz:

HON. J. R. HINDMAN, *Speaker of the Senate:*

The joint committee having in charge the investigation of the treatment of convicts in coal mines, having been requested by Senate resolution to summon Mr. R. Buckner Allen to appear before the committee, with the proof taken at Greenwood mines

by him as stenographer for the committee, respectfully state that Mr. Allen, being one of the militia at Greenwood, was ordered by Governor Knott to appear before the committee, which he did on yesterday.

The committee requested that he deliver the testimony taken by him as stenographer, which he declined to do, or to state his reasons for declining; but he stated it was not because he had not been paid for his services or that he did not expect to be paid should he deliver the testimony.

He stated that he was acting under legal advice, that his advisor was Hon. Frank Straus, member of the House, who advised him (not as an employed attorney, however) to refuse to deliver the testimony and also to assign no reason for his refusal.

The committee will state that, in order to enable a report to be made, it is not necessary to have the testimony now in the hands of Mr. Allen.

R. A. BURNETT,
F. M. CLEMENT,
JOHN H. WILSON.

Mr. Burnett, from the special joint committee appointed in pursuance of a joint resolution directing said committee to investigate and report upon the employment of convict labor in mines, laid before the Senate the following report, viz:

To the General Assembly of the Commonwealth of Kentucky:

The committee appointed under the joint resolution passed January 29, 1886, directing said committee to investigate and report "whether any of the provisions of sections 9 and 12, of the act of May 3, 1880, entitled 'An act to provide for the relief of the Penitentiary, have in any manner been violated, to what extent and by whom, and as to whether any punishment, if so, to what extent and the character of same, has been inflicted upon the convicts by those having control of them;' and also what contracts, if any, have been made by the Sinking Fund Commissioners leasing convicts since May 10, 1884, and whether any of the contractors leasing convicts have subleased or hired out convicts to other persons, or corporations," would make the following report:

The committee first visited Greenwood coal mines, situated on the line of the Cincinnati Southern Railroad, in Pulaski county, where the Mason & Foard Company, contractors for the convict labor, now have some 236 convicts employed in mining coal for the Beaver Creek and Cumberland River Coal Company, and made a personal inspection of the prison in which the convicts are confined at night and Sunday, their beds and bedding, diet, clothing, treatment, etc., and took testimony in regard thereto, and as to the punishment, character and extent thereof inflicted upon the convicts at those mines, and by whom. They examined a number of witnesses, including the State Inspector, L. D. Craig, the physician, Warden and clerk, several convicts and others, examined the books of the said prison and made transcripts from same.

Upon the personal inspection made by the committee and the testimony taken by them, their conclusions are based. The convicts were first sent from the Penitentiary out there on the —— day of June, 1885, under a contract or lease to the Mason & Ford Company, dated April 27, 1885, by the Sinking Fund Commissioners. The Greenwood mine is about 150 yards from the prison; the entrance to the mine is in a low, flat place, and for some distance into the mine very wet and muddy. In several places in the mine the convicts were compelled to work in water several inches deep for days, and sometimes have to lie down in the water to get the quantity of coal they were compelled to dig and send out of the mines daily.

From said personal inspection and from the testimony taken, the committee unhesitatingly say that neither the provisions of the said section 9, of the said act of May 3, 1880, or the rules and regulations prescribed by the Sinking Fund Commissioners for the government and treatment of the convicts, have been complied with or carried out by the contractors, their employes or the State Inspector, in many respects, but have been frequently violated and set at naught. They are compelled to say that the State Inspector at said mine, who is employed and paid to look after the welfare and treatment of the convicts, has, in a very great measure, failed to discharge his duties, under the law and rules for the government of the convicts, and in support of this statement, his own deposition, the first taken, and the other testimony, taken by the committee, is referred to, and shows his careless indifference as to the punishment of the convicts, and his utter ignorance in many instances of the character or extent of punishments or offenses for which the punishments were inflicted, except as furnished him by the company's warden, who generally inflicts the punishment,

and whose reports are not always true, as the testimony abundantly shows. The prison in which the convicts are confined at "Greenwood mine," is composed of two buildings adjoining, with a narrow passage between them. One is a log building, about twenty-eight by forty feet, and the other is a "box" house, about the same dimensions of the log-house, with a sleeping apartment above for the "trusties," pretty open, and no way for heating it. Each room where the convicts are confined and sleep is badly ventilated and poorly warmed in cold weather, with their tiers of open "bunks," one above another, where the convicts sleep on straw beds, laid upon plank, two convicts to each bed, and cover with blankets, both the beds and blankets being extremely dirty, the beds not having been emptied or supplied with fresh straw, nor the bedtick or blankets washed for several months, and some, if not all of the beds and blankets, infested with vermin.

About 6 o'clock in the morning, the convicts, without having an opportunity to wash their faces and hands, are brought into a shed-room with dirt floor to their breakfast, consisting of coffee, wheat bread and fat bacon, both cooked the preceding day, the meat sometimes during very cold weather being frozen.

Breakfast over, they are immediately sent into the mine, each taking with him for dinner in the mine a piece of corn bread and a slice of bacon. At 4:30 o'clock P. M. the convicts come out of the mine, those coming out first remaining at the entrance until all are out, and are marched back to the stockade, where, in a long, open shed-room, without stoves and in which they are very much crowded, they wash in water in troughs, no towels being furnished; then they go to supper, consisting of coffee (sometimes without sugar), wheat bread, bacon, molasses and generally one kind of vegetables, usually beans—sometimes potatoes, onions or hominy—and they have beef about once a week, but not always that often.

The clothing furnished the convicts consists of two suits and cap of pretty heavy striped wool and cotton goods, consisting of two pair of pants, two shirts of heavy cotton goods, coat or jacket, two pair of cotton drawers, shoes and socks, the clothes generally washed once a week. The convicts are closely confined all day Sunday in the prison, have no religious teaching or services of any kind, and but little reading matter.

The hospital is a log-house, rather small for the purpose, badly ventilated; moderately well furnished in the way of bedding, etc., for the sick, there being only three patients therein.

The food furnished the convicts may be wholesome enough, but it is

very coarse and badly prepared and cooked, and in the judgment of the committee, sometimes insufficient for a man at hard work in the mines, especially the mid-day meal. Many of the convicts complained of not getting enough to eat at times. There is so little change in the kind of food furnished and its preparation, that one meal is but a repetition of the other. The requirements of the law as to an ample supply of vegetable diet has not been complied with as it should have been by any means. The clothing furnished the convicts might be sufficient for mild weather, but for such weather as has been during the past winter, it was greatly insufficient, and the convicts must have suffered intensely during the extreme cold weather the past winter at work out, and going to and from the mines.

As to the punishment and extent thereof inflicted upon the convicts at "Greenwood Mines," there seems to have been no rule or restriction fixed by any one, but the whole matter was almost entirely left to the discretion of the "Warden" and "mine bosses," whose positions and wages depend to a great extent on the quantity of coal they can, under the dread and terror of the strap, compel the convicts to get out daily.

The punishment inflicted, with the exception of two men suspended by the wrists, was with a strap of heavy leather, about one and a half or two inches wide, and about two feet long, attached to a heavy stock, upon the bare back of the convict, at the hands of a stout man, and vary in number from two to fifty lashes, as far as the record shows or the committee could ascertain, and was frequently administered for trivial offenses, such as taking bread left at breakfast into the mine (reported as "stealing"), talking at night after going to bed, speaking disrespectfully to their "bosses," denominated in report as "disobedience," but much the larger amount of the punishment inflicted, was for a failure of the convicts to dig and send out of the mine the quantity of coal given them as a task daily, by the "mine bosses," which, in many instances, the committee think was a physical impossibility, and almost invariably when the convict succeeded in getting the number of bushels given him as a task, his daily task was increased.

The highest number of lashes inflicted at any one time upon one convict, as shown by the register was fifty, upon Jesse Williams, on eighth of August, 1885, for attempting to escape, and thirty-five lashes *each* upon two convicts for the same offense.

From fifth of September, 1885, to thirteenth of March, 1886, as shown by the prison register, there were 343 whippings given the convicts, some being whipped several times, as the highest number of convicts at any one time at the Greenwood mine averaged from 114 to 244.

From the sixth to thirteenth of March, 1886, more than forty whippings occurred, and over 300 lashes given in the aggregate. The backs of some of the convicts, examined by the committee, showed the marks of the strap, several weeks after being whipped. Some convicts were whipped in the mine, and upon one occasion a convict, named Henry Solomon, complained of being sick and was sent out to the Warden, the "mine boss" accompanying him, when he was whipped by the Warden. After being struck on the head by him with the stock of his strap, and his head cut and bleeding, was again sent back to the mine to go to work. Upon another occasion a convict, Allensworth, for talking with another convict about making their escape, was severely whipped by Warden Henson, and after the convict had gone to bed, he was called up and again whipped the same night by one John King, one of the Mason & Foard Company. And upon another occasion a convict, Wm. Combs, was excused from labor by the physician, an account of a *severe* whipping given him by the Warden. Other cases of punishment could be cited by the committee, but it is deemed unnecessary.

The committee are of opinion that, although the law and prison rules require that the State Inspector shall keep a register of all the punishments inflicted upon the convicts, the character and extent of same, and for what offense, said register is incorrect, and that neither the register nor the reports made are correct or contain a true statement of all the punishments, or extent of same inflicted, at the Greenwood Mines, or the true causes or that all were reported. It will be seen from the testimony of the State Inspector that, as a general thing, he knows nothing of the punishments of the convicts, the number of lashes or offense until he gets the report of the Warden after the punishment is inflicted, which is fixed by the Warden. The State Inspector also says he never had furnished to him any rules prescribing the number of lashes to be inflicted upon the convicts for the violations of the prison discipline; that there are no printed, written or verbal rules prescribing same, but the matter is wholly within the discretion of the Warden, but Gen'l Hewitt, the Secretary of the Board of Sinking Fund Commissioners, says that the State Inspector at each of the prisons at "Greenwood and Jellico Mines" have been furnished copies of the rules and regulations made by the Commissioners for the control, management and punishment of the convicts, and also his duties, and had also been advised by letters in regard to these matters. He also says that only one person, the Warden, was to inflict the punishment upon the convicts, and in no case was the punishment to exceed ten lashes except for outrageous conduct, and all punishments to be reported weekly to

the Commissioners, giving names, offenses, number of lashes and any other punishment inflicted.

The committee also visited the "Main Jellico Mines" at the "Kensee Mines," situated about two miles from the Knoxville Branch of the Louisville and Nashville railroad, in Whitley county, where the Mason & Foard Company have about 140 convicts engaged in mining coal for the "Jellico Coal Company," and made a similar inspection to that made at the Greenwood Mine and examined several witnesses including the State Inspector, Warden and clerk, several convicts and some others, examined records, and made transcripts of same, as far as they could, but unfortunately the book kept by the Warden, prior to the eighth of January, 1886, upon which was entered the name of the convicts punished, the punishment and offense, was lost or mislaid, and they could only ascertain about same from the eighth of January, 1886, to the seventeenth of March, 1886. At this prison the committee found matters in a much better condition, generally, than at "Greenwood Mines."

The State Inspector and the Warden both seemed to know and appreciate their duties more fully, and try, to a great extent, to carry them out. The prison in which the convicts are confined at night and Sunday is a box house about forty by sixty feet, pretty well ventilated and warmed by two stoves, with a double tier of "bunks" in center, three deep, where the convicts sleep on straw beds upon plank, and covered with blankets. The beds and blankets were reasonably clean, but here, as at Greenwood mine, some vermin were on the beds, or some of them. The dining-room is better arranged and more comfortable than at Greenwood. The wash-house is well situated and arranged, with stoves in it and plenty of good, pure water for washing and bathing, but no towels furnished.

The hospital, although small, is a clean, comfortable room, furnished with pretty good beds and bedding, and the patients, three in number, seemed to be well cared for; in fact every thing about this prison presented a better appearance than at "Greenwood." The management of the convicts as to the time of going to work in the mines and quitting in the evening, the clothing, diet, etc., is about the same as at Greenwood mine, except they have beef furnished them regularly once a week, and vegetables oftener.

The committee, by reason of the loss of that book, as before stated, could not learn as much in regard to the punishment of the convicts as they desired. The only punishment, as far as they could learn, inflicted at this mine is by lashes with a strap upon the bare back, and sometimes greatly in excess of the offense, and is generally for failure

to get the quantity of coal given the convict as a task by the mine bosses in the employ of the Jellico Coal Company. Upon one occasion, a convict named Kreiger was knocked down and severely punished in the mines.

From January 8 to March 17, 1886, fifty-one whippings were given the convicts, and aggregating four hundred and thirteen lashes. Here, as at Greenwood mine, the committee are of opinion that the tasks imposed upon the convicts is greater than many can perform, and for which they are whipped, and frequently punished for trivial offenses.

The State Inspector said in his testimony that there had not been furnished to him any rules prescribing the number of stripes to be inflicted upon the convicts, and that no printed, written or verbal rules prescribing same had been furnished to him, but the punishment was left to the discretion of the warden, who inflicted it.

As to section 12 of the said act, General Hewitt, Secretary of the Board of Sinking Fund Commissioners, explains fully about that in his statement, herewith returned.

The contract of leasing the convicts to the Mason & Foard Company is the only one made by the Sinking Fund Commissioners since May 10, 1884, a copy of which is herewith returned, and fully sets out its terms, conditions and obligations.

As to the contractors having subleased or hired convicts to other persons or corporations, it appears from the statement of W. F. Dandridge for the Mason & Foard Company, herewith returned, that said company on the fourteenth of May, 1885, hired to the Beaver Creek and Cumberland River Coal Company the labor of 100 convicts, and might be increased to 200, to dig coal in the mines of said coal company, to be under the control and management of the superintendent of the said coal company and his assistants while in the mines, and after three months labor in the mines, a task for each convict was to be fixed by the Warden of the Mason & Foard Company and the superintendent of the coal company, the full terms and conditions of the said contract are fully set out in copy of same, herewith returned. The Mason & Foard Company also on —— day of ——, 1885, hired to the Jellico Coal Company, the labor of —— convicts to dig coal in the mines of the said coal company, to be under the management of the superintendent of the coal company while in the mines, said convicts to be worked at the "Kensee mine," and the said company also hired to the firm of Mason, Dandridge & Co., some of the outside labor of the convicts upon verbal contracts for employment on railroads, turnpikes, etc. The Mason & Foard Company, by contract, of date April 1, 1885,

hired to L. F. Mann, of Carlisle, Ky., a number of convicts, not to exceed sixty, at one time, upon the terms and conditions as set out in the said contract, a copy of which is herewith returned, which contract terminated some months ago, and the convicts were returned to the Penitentiary.

The committee did not deem it necessary, nor their duty under the resolution, to inquire into or investigate the treatment, etc., of the convicts within the Penitentiary walls, nor those employed in building the branch Penitentiary at Eddyville, or upon turnpikes, etc., but only those employed in the coal mines.

The "Warden," mentioned and referred to in this report, is not an officer employed by the State, but is employed by the Mason & Foard Company.

The testimony taken by the the committee, transcripts made by the committee, and exhibits, papers, etc., pertaining to this report, as also the protest and objection of the Mason & Foard Company, are herewith returned, except the testimony taken by the stenographer, R. Buckner Allen, who appeared before the committee and refused to deliver to the committee the proof so taken by him, or to give any reasons for withholding same.

The committee will further say, that although the testimony of several convicts was taken, both at the Greenwood and Kensee mines, but little credence was given to their statements, except in so far as the same were corroborated or supported by other facts and testimony.

After a full investigation and careful consideration of all the testimony and facts, the committee unanimously agreed that the Mason & Foard Company have failed to properly care for and to furnish with sufficient and wholesome food, including vegetable diet to the convicts at the Greenwood and Jellico mines, and have also failed to furnish to them suitable and comfortable clothing during the past winter, and in some instances said convicts have been maltreated and excessive punishment inflicted upon them by those having them in charge, and said company has not provided them with comfortable shelter and lodgment, and especially was this the case at the Greenwood mine, where the sanitary condition, food, lodging and general arrangement of the prison were defective and bad.

Although the sanitary condition and management of the prison at "Kensee mine" was much better than at Greenwood, yet the clothing and dieting were about the same, and the same system of tasks and whipping prevailed there.

The committee is fully satisfied that the present system of leasing

the convicts to be worked outside of the Penitentiary, especially in coal mines, is wrong, against public policy and the dictates of common humanity, and to a great extent destroys free labor at the mines, and in many instances deprives the citizen of the means of support of himself and family, is of no real benefit to the State, and only tends to enrich those whose only interest in the matter is the amount of money they can make out of the unpaid toil and labor of the unfortunate convicts. The system should be abandoned, the convicts returned to the prison and provision made for employing them within the prison walls.

In addition, the committee will here say that they were greatly assisted by Messrs. W. F. Dandridge and Jo. F. Foard, of the Mason & Foard Company, who were with them during most of the investigation, and they are under many obligations to these gentlemen for their kindness during the investigation and stay at the mines, and the committee do not think that these gentlemen personally sanctioned any of the failures or abuses which occurred at these mines.

R. A. BURNETT,
F. M. CLEMENT,
JOHN H. WILSON,
JOHN P. NEWMAN,
JAMES DENTON,
R. W. CREAL.

On motion of Mr. Martin,

Ordered, That said report be printed.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to amend sections 6 and 8, of chapter 70, General Statutes;

An act to authorize the County Court of Harlan county to issue bonds to raise money to build a court-house;

An act to amend an act, entitled "An act to authorize and empower precinct No. 3, Livermore, McLean county, to compromise and fund its bonded debt," approved April 13, 1880;

An act to amend and continue in force an act to incorporate the town of Paynesville, in the county of Meade;

An act to incorporate the Cumberland County Sulphur Spring;

An act to exempt members of the fire department of Winchester from the payment of poll-tax and from jury service;

An act to change the time of holding the Court of Claims in Elliott county;

An act fixing the compensation of Justices of the Peace of Pulaski county sitting as a Court of Claims;

An act ceding control of Salt river, in Kentucky, to the United States for the purpose of locking and damming same, and authorizing the United States to hold and acquire land adjacent to said river for that purpose;

An act for the benefit of Isaac C. Adair, of Hancock county;

An act to amend the charter of the Masonic Widows' and Orphans' Home and Infirmary;

An act to incorporate the Madison Club, of Richmond, Kentucky;

Joint resolution in relation to establishing "Arbor Day;"

And enrolled bills which originated in the Senate of the following titles, viz:

An act to authorize the Pendleton County Court to issue and sell bonds and provide means of redeeming and regulating the manner of executing sale and disbursement of funds;

An act to charter the Clay County High School Company;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Martin—

1. A bill to incorporate the Sunrise and Pugh's Ferry Turnpike Road Company.

On motion of Mr. Feland—

2. A bill to prevent the running at large of stock in Christian county.

On motion of Mr. Berry—

3. A bill to repeal an act, entitled "An act to incorporate the Central Railway Bridge Company," approved May 8, 1884.

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d; and the Committee on General Statutes the 3d.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization," approved May 10, 1884.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act to equalize assessments for revenue purposes, and to provide a State Board of Equalization," approved May 10, 1884, be, and the same is hereby, repealed.

§ 2. This act shall take effect from its passage.

Mr. Hill moved that said bill be recommitted to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Harris and Simon, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. T. Simon,
A. S. Berry,	S. E. Hill,	E. R. Sparks,
J. W. Bryan,	L. M. Martin,	R. S. Triplett,
C. M. Clay, Jr.,	J. H. McDanell,	Robert Walker,
F. M. Clement,	L. W. McKee,	E. L. Worthington,
W. M. Cravens,	J. N. Price,	F. T. D. Wallace—19.
Henry Dixon,		

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	F. D. Rigney,
R. A. Burnett,	J. D. Harris,	D. H. Smith,
A. R. Byers,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
John Feland,	W. F. Neat,	J. H. Wilson—15.

Mr. Hays moved that said committee be directed by the Senate to report back said bill on Thursday, April 8th, at 11 o'clock A. M.

Mr. Bryan moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rigney and Harris, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. T. Simon,
A. S. Berry,	S. E. Hill,	E. R. Sparks,
J. W. Bryan,	L. M. Martin,	Robert Walker,
C. M. Clay, Jr.,	J. H. McDanell,	E. L. Worthington,
F. M. Clement,	L. W. McKee,	F. T. D. Wallace—17.
Henry Dixon,	J. N. Price,	

Those who voted in the negative, were—

M. C. Alford,	G. G. Gilbert,	F. D. Rigney,
R. A. Burnett,	T. S. Grundy,	D. H. Smith,
A. R. Byers,	J. D. Harris,	J. R. W. Smith,
W. J. Caudill,	R. G. Hays,	W. H. Taulbee,
W. M. Cravens,	H. T. Kendall,	R. S. Triplett,
John Feland,	W. F. Neat,	J. H. Wilson—18.

The question was then taken on the motion made by Mr. Hays, and it was decided in the affirmative.

Mr. Berry presented and moved to have printed the report of Hon. J. Fry Lawrence, Commissioner to the Louisville and New Orleans Expositions.

Mr. J. R. W. Smith moved that all of said report, except the correspondence appended thereto, be printed.

And the question being taken thereon, it was decided in the affirmative.

Mr. Triplett moved that said report be read.

Pending the reading of said report, Mr. Gilbert moved that the further reading thereof be dispensed with.

Mr. Sparks moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and Sparks, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	L. W. McKee,	J. R. W. Smith,
W. H. Frederick,	J. N. Price,	E. R. Sparks,
J. D. Harris,	J. T. Simon,	R. S. Triplett,
R. G. Hays,	D. H. Smith,	Robert Walker—13.
L. M. Martin,		

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	J. H. McDanell,
M. C. Alford,	Henry Dixon,	W. F. Neat,
A. S. Berry,	John Feland,	F. D. Rigney,
R. A. Burnett,	G. G. Gilbert,	W. H. Taulbee,
A. R. Byers,	T. S. Grundy,	F. T. D. Wallace,
W. J. Caudill,	S. E. Hill,	E. L. Worthington,
C. M. Clay, Jr.,	H. T. Kendall,	J. H. Wilson—21.

The question was then taken on the motion made by Mr. Gilbert, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Feland, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	G. G. Gilbert,	W. F. Neat,
M. C. Alford,	J. D. Harris,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	J. T. Simon,
W. J. Caudill,	L. M. Martin,	E. L. Worthington,
C. M. Clay, Jr.,	J. H. McDanell,	Robert Walker—15.

Those who voted in the negative, were—

J. W. Bryan,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	S. E. Hill,	E. R. Sparks,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
F. M. Clement,	L. W. McKee,	R. S. Triplett,
Henry Dixon,	J. N. Price,	F. T. D. Wallace,
John Feland,	D. H. Smith,	J. H. Wilson—18.

Mr. Simon moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Byers, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	J. N. Price,
M. C. Alford,	W. H. Frederick,	J. T. Simon,
A. S. Berry,	G. G. Gilbert,	D. H. Smith,
J. W. Bryan,	J. D. Harris,	J. R. W. Smith,
W. J. Caudill,	R. G. Hays,	E. R. Sparks,
C. M. Clay, Jr.,	L. M. Martin,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	Robert Walker—21.

Those who voted in the negative, were—

R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	L. W. McKee,	F. T. D. Wallace,
F. M. Clement,	W. F. Neat,	E. L. Worthington,
S. E. Hill,	F. D. Rigney,	J. H. Wilson—13.
G. G. Gilbert,		

And then the Senate adjourned.

THURSDAY, APRIL 1, 1886.

The reading of the Journal of yesterday was dispensed with.

The roll call was dispensed with.

A message was received from the House of Representatives announcing that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to empower the County Court of Pendleton county to make subscription to the capital stock of turnpike roads in said county," approved March 15, 1878,

That they had passed a bill which originated in the Senate, entitled

An act to amend an act to amend and reduce into one the acts in relation to the town of Harrodsburg.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to amend and reform the common school laws of this Commonwealth for the purpose of providing for the monthly payment of the wages of teachers of the common schools."

2. An act to amend an act, entitled "An act for the benefit of the Coroners of this Commonwealth," approved May 5, 1880.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Education, and the 2d to the Committee on the Judiciary.

Mr. Alford read and laid on the table a joint resolution of the following title, viz:

Resolution providing for an adjourned session of the General Assembly.

Said resolution reads as follows, viz:

WHEREAS, It now seems probable that the revenue question can be disposed of within the next ten days; and whereas, the report of the advisory committee on the convict problem shows that the only legal and practical way to meet the difficulty presented is by giving the Messrs. Mason, Foard & Co. the six months' notice provided by the terms of the contract; and whereas, the Commissioners of the Eddyville Branch Penitentiary report that with the necessary appropriation the work upon that prison can be so far advanced in six months as to make it ready for the reception of convicts; and whereas, the exact status at that time of this most difficult problem of the State's prisoners can not now be anticipated; and whereas, the season of the year has arrived when the farming interest of the agricultural members demands their personal attention; and whereas, a long-extended session, doubtful of good results now seems imminent; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That within five days after the revenue measure shall have been adopted, which at all events shall not be later than the 15th inst., this General Assembly shall stand adjourned until the sixteenth day of November, 1886, at which time it shall again convene and remain in session not exceeding thirty days.

Which, under the rule, lies one day on the table.

Mr. McKee, from the Committee on General Statutes, reported a bill, entitled

An act to amend an act to amend and reduce into one the acts in relation to the town of Harrodsburg.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McKee moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. McKee moved an amendment to said bill.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. Harris, from the special joint committee appointed to investigate the affairs of the Eastern Kentucky Lunatic Asylum, at Lexington, laid before the Senate the following report, viz:

To the General Assembly of the Commonwealth of Kentucky:

Your joint committee, appointed to visit the Eastern Kentucky Lunatic Asylum, at Lexington, Ky., and investigate the management thereof and the charges against Dr. R. C. Chenault,

the Superintendent, would report that we have discharged that duty, and offer the following:

We visited said asylum and made a thorough examination of all its departments, and found every thing in most excellent order.

A thorough cleanliness and perfect system pervades the whole establishment. The patients show that they are well fed, well clothed and well treated, and many of them expressed to us their kind feelings and high appreciation of the good treatment received at the hands of the officers and employes of the institution. We questioned many of the more rational and intelligent of the patients and found that they regarded the Superintendent with esteem and affection, which could only be inspired by the most abiding confidence in his worth and integrity. We examined many of the employes, and without a single exception found that while they regarded the Superintendent as a strict disciplinarian, yet all spoke of his kindness and courtesy to parties connected with the asylum.

The Board of Commissioners we found to be gentlemen of integrity and high standing, men whom we are satisfied would not condone the faults of any one, and who, if there were any grounds for the malicious anonymous charges affecting the character of the Superintendent, would be the first to expose him and urge his removal.

We have also thoroughly examined the testimony taken by the Board, in the late investigation of the charges against the Superintendent, requested by him and directed by the Governor, and can find nothing whatever in the whole matter on which to base the slightest foundation for any thing detrimental to the capacity, integrity or moral character of the Superintendent.

The Board, in the investigation, opened the doors and gave everybody an opportunity to come or bring before them any thing and every thing known or heard of against the Superintendent. With this opportunity before them, it was impossible to show that there was any thing against Dr. Chenault, except a factious opposition, which, we believe, would sooner die out by silent contempt, than by giving notice to it.

Your committee most heartily indorse the report of the Board of Commissioners made to the Governor, as a result of their recent investigation.

All of which is most respectfully submitted.

JOHN D. HARRIS,
REUBEN CONNOR,
E. L. WORTHINGTON,
GEORGE W. SAMUEL,
W. J. WORTHINGTON.

MARCH 31, 1886.

On motion of Mr. Cravens,

Ordered, That three hundred copies of said report be printed.

The Senate, according to order, took up for consideration a bill, entitled

An act for the benefit of the Central Lunatic Asylum, at Anchorage.

On motion of Mr. Burnett,

Ordered, That said bill be recommitted to the Committee on Charitable Institutions.

The Senate took up for consideration a joint resolution, entitled

Resolution for the purpose of making a settlement and cancellation of the contract with Mason, Foard & Company.

Mr. Harris moved to lay said resolution on the table.

And the question being taken thereon it was decided in the affirmative.

Mr. Feland withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had discharged the Committee on Codes of Practice from the consideration of a leave to bring in a bill, entitled

An act to amend title 8, chapter 4, of the Civil Code of Practice of Kentucky.

The Senate took up for consideration a bill, entitled

An act to amend chapter 94, General Statutes.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was rejected.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act, entitled "An act to revise and amend and reduce into one the charter and various amendments relating to the town of South Carrollton, in Muhlenberg county."

The question pending being, "Shall the Senate adhere to or recede from its amendment to said bill?"

And the question being taken thereon, it was decided that the Senate recede from said amendment.

The Senate took up for consideration an amendment adopted by the House of Representatives, to a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Grand Lodge of the Ancient Order of United Workmen."

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Cravens was appointed a committee to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Drennon Springs Company, in Henry county," approved April 4, 1884.

After a short time Mr. Cravens reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Cravens moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Gilbert, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to abolish the writ of *ad quod damnum* and to establish a uniform mode of condemning private property for public uses,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wilson,

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Wednesday, April 7th, at 11 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration the motion heretofore entered by Mr. Caudill to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to provide for the organizing, maintaining and supervising of common schools in the town of Pikeville and vicinity, in Pike county.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Caudill moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Worthington—

1. A bill, entitled "An act for the benefit of W. G. Bullock, of Lewis county."

On motion of Mr. Wilson—

2. A bill to change the title of the act passed at this session of the Legislature permitting seining for fish.

On motion of Mr. Bryan—

3. A bill to amend an act, entitled "An act to incorporate the Covington Inclined Plane and Narrow Gauge and Elevated Railroad Company," approved March 26, 1884.

On motion of Mr. Frederick—

4. A bill to incorporate the Jefferson Natural Gas Company.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 4th; the Committee on Fish Culture the 2d; and the Committee on Railroads the 3d.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Louisville in relation to the public charities thereof.

An act to amend the charter of the Silver Creek Turnpike Company, in Madison county.

An act to authorize the Pendleton County Court to issue and sell bonds, and provide means of redeeming and regulating the manner of executing sale and disbursement of funds.

An act to charter the Clay County High School Company.

An act incorporating the Union Benevolent Society, of Cynthiana, Kentucky.

An act for the benefit of the Medical Superintendent of the Western Kentucky Lunatic Asylum.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to regulate the tolls on the Bardstown and Louisville Turnpike;

An act to amend an act, entitled "An act to incorporate the Grand Lodge of the United Brothers of Friendship of the State of Kentucky;"

An act for the benefit of W. A. Thompson, late Sheriff of Elliott county;

An act to amend an act, entitled "An act to empower the County Court of Pendleton county to make subscriptions to the capital stock of turnpike roads in said county," approved March 15, 1878;

An act to amend the charter of the city of Louisville;

And enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to confirm and legalize an election held March 16, 1885, in school district No. 19, in Fleming county ;

An act conferring certain powers on the trustees of school district No. 16, in Campbell county ;

An act to establish a system of common schools in the town of Dixie, in Henderson county ;

An act to empower the County Superintendent to redistrict the schools of Mason and Breathitt ;

An act changing the boundary of common school district No. 29, in Lyon county ;

An act to amend an act, entitled "An act to maintain a graded school in Hartford, and to provide for the erection of school buildings therein," approved March 16, 1878 ;

An act to establish a normal school at Tompkinsville, in Monroe county ;

An act to amend an act to amend and reduce into one the acts in relation to the town of Harrodsburg ;

Resolution urging Kentucky Representatives in Congress to secure the passage of an act pensioning Mexican soldiers ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz :

By Mr. Caudill, from the Committee on Education—

A bill for the benefit of J. M. Baker, of Knott county.

By Mr. Hays, from the Committee on Finance—

A bill to incorporate the Union Club, of Louisville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Hays, from the Committee on Finance—

An act to amend the charter of the city of Louisville.

By Mr. Berry, from the Committee on Education—

An act to enlarge the boundary of the common school district of the city of Newport, in Campbell county.

By same—

An act to incorporate and establish a system of public schools in the town of Russellville, and within a radius of three miles of the court-house in said town.

Ordered, That said bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rigney, from the Committee on Charitable Institutions, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of the Kentucky Institution for the Education of Deaf Mutes, at Danville,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $2,000 be, and the same is hereby, appropriated to build, furnish and equip four school-rooms and halls in place of the wing or addition to the old school building of the Kentucky Institute for the Education of Deaf Mutes, at Danville.

§ 2. That the further sum of $1,000 annually be, and the same is hereby, appropriated for the purpose of providing and furnishing tools, machinery and a competent foreman in the workshop for the instruction and learning of mechanical trades to the pupils of the Kentucky Institution for the Education of Deaf Mutes, at Danville.

§ 3. That said appropriation shall be paid in the same manner and to the same person that other similar appropriations are paid to said Institution out of the State Treasury, and shall be accounted for in that way.

§ 4. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, for want of a constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	J. D. Harris,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	W. H. Taulbee,
A. R. Byers,	S. E. Hill,	R. S. Triplett,
F. M. Clement,	L. W. McKee,	Robert Walker,
W. M. Cravens,	J. W. Ogilvie,	E. L. Worthington,
Henry Dixon,	F. D. Rigney,	F. T. D. Wallace—19.
W. H. Frederick,		

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	J. N. Price,
S. H. Boles,	L. M. Martin,	J. T. Simon,
W. J. Caudill,	J. H. McDanell,	D. H. Smith,
C. M. Clay, Jr.,	W. F. Neat,	J. H. Wilson—13.
John Feland,		

So said bill was disagreed to.

Mr. Bryan moved to reconsider the vote by which the Senate had disagreed to said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Bryan,

Ordered, That said bill be recommitted to the Committee on Charitable Institutions, with leave to report at any time.

The Senate, according to order, took up for consideration a bill, entitled

A bill to secure cheaper text-books for the common schools of this Commonwealth.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Superintendent of Public Instruction of Kentucky, Robert Allen, W. H. Bartholomew, S. P. Browder, J. K. Patterson, are hereby created a Board of Commissioners, whose duty it shall be to acquire, by purchase or donation, the copyright to a course of text-books for the common schools taught in this State, and to have the same printed and bound by letting said work to the lowest bidder or bidders, in sufficient numbers to supply the same to the common school pupils in this Commonwealth.

§ 2. Said text-books shall be introduced into all the common schools of this Commonwealth as soon as possible, so as not to make the purchase of said books too burdensome to the patrons of the common schools: *Provided*, That they shall be fully introduced into all the common schools of this State by the beginning of the school year of eighteen hundred and ninety, and shall remain in force eight years; that said Commissioners shall select a committee of five teachers of schools of not less than ten years' experience to act in conjunction with themselves in the selection of the text-books; and in the selection of said books they may use their discretion in selecting from books already published, or from copyrights that have not yet been printed. Said text-books shall be delivered by the printer and binder to the School Superintendents of each county in sufficient number to supply the needs of the pupils in each county upon the requisition in writing of Superintendent of Public Instruction directed to the said printer and binder; and before the Superintendent of Public Instruction shall give his requisition, the County Superintendent shall cause to be filed with the Superintendent of Public Instruction a written statement of the number and kind of books necessary for the common school pupils of this county, and to deliver copies of the same to the Auditor of the State, and to the Clerk of the County Court, who shall file and preserve the same in their respective offices.

§ 3. Said text-books shall be delivered free by the County Superintendent to the pupils of school age in their respective counties, who are orphans and too poor to purchase them, or whose parents are too poor to purchase them: *Provided*, That said delivery shall not be made until there has been filed with the County Superintendent the written order or orders of the trustees of the school district to which the book or books are to be delivered, giving the name of the pupil or pupils to be furnished, and specifying what book or books are to be furnished to each pupil, which order shall operate as a voucher to the School Superintendent in his settlement for said books.

§ 4. The County Superintendent shall sell to the pupils or patrons of common schools, who are able to purchase such books as they may need, at a price to be fixed by the Commissioners; said price so fixed that the sum realized for all the books sold shall not exceed the cost of printing and binding the whole of the books; and the County Court of each county shall appropriate one hundred dollars each year, to be paid to the Treasurer of the State, which, in conjunction with the sale moneys received from the sale of said books, shall be used to pay for the printing and binding the text-books aforesaid, to be paid upon the written order of the Superintendent of Public Instruction.

§ 5. The County Superintendents shall be liable on their official bonds for the value of the books received by them, and for all moneys received by them for the sale of text-books, and shall account to the Superintendent of Public Instruction therefor at the end of each school term, and shall pay over the amount of money for which they have sold books at the end of each month to the Treasurer of the State of Kentucky. The amount of money to be paid for the purchase of copyrights of text-books to be paid out of the common school fund of this Commonwealth upon the order of the Superintendent of Public Instruction.

§ 6. If the said Commissioners, in their discretion, find that the purchase of the copyrights is impracticable, and they can secure school books cheaper from the book-makers, they may contract for such books as they deem best to be furnished the Superintendents as specified in second section of this act.

§ 7. This act to take effect from its passage.

Mr. Cravens moved to amend said bill as follows, viz:

Amend by adding after the word "five" in the eighth line of section 2, the words "competent persons;" and after the word "experience" in the ninth line of said section the words, "as teachers of common schools," and add as an additional section after section 6, the following, viz: "The provisions of this act not to apply to cities having their own school system, unless they, by act of their city trustees, so desire, in which case they are to appropriate $100 for each Representative district, to be paid the State Treasurer, to be applied as herein directed."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

W. M. Cravens,	F. D. Rigney,	F. T. D. Wallace,
J. D. Harris,	E. R. Sparks,	E. L. Worthington,
R. G. Hays,	R. S. Triplett,	J. H. Wilson—11.
J. W. Ogilvie,	Robert Walker,	

Those who voted in the negative, were—

R. T. Albritton,	Henry C. Dixon,	J. H. McDanell,
M. C. Alford,	John Feland,	J. N. Price,
J. W. Bryan,	W. H. Frederick,	J. T. Simon,
R. A. Burnett,	G. G. Gilbert,	D. H. Smith,
W. J. Caudill,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee—18.

So said bill was rejected.

Mr. Clay moved to reconsider the vote by which the Senate had rejected said bill.

Which motion was simply entered.

The special joint committee of conference appointed to take into consideration the disagreement of the two Houses in regard to an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to provide for and regulate the holding of Examining Courts in this Commonwealth, and fixing the fees of the County Judge, Justices of the Peace and Police Judges and other officers when sitting in Examining Courts,

Submitted the following report, viz:

To the Speakers of the Senate and House of Representatives:

The committee of conference of both Houses of the General Assembly to whom was referred the disagreement between the Senate and House of Representatives to the amendment of the Senate to House bill No. 25, entitled "An act to provide for and regulate the holding of Examining Courts," etc., would

respectfully report that they have had such conference, and upon consideration report that they are of opinion that the Senate should recede from their amendment to said bill.

JOHN FELAND,
G. G. GILBERT,
R. A. BURNETT,
PHIL. B. THOMPSON,
W. W. DICKERSON.

MARCH 31, 1886.

Mr. J. R. W. Smith moved that the further consideration of said report be postponed until Thursday, April 15th.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration a joint resolution, entitled

Resolution concerning the *per diem* of members of the General Assembly.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That no member of the General Assembly shall be entitled to the *per diem* except for the time he is actually engaged in the service of the State at the seat of Government, or on committees sent from the seat of Government.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taulbee and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

W. J. Caudill,	L. M. Martin,	E. R. Sparks,
C. M. Clay, Jr.,	W. F. Neat,	W. H. Taulbee,
F. M. Clement,	J. N. Price,	R. S. Triplett,
John Feland,	F. D. Rigney,	E. L. Worthington,
G. G. Gilbert,	J. T. Simon,	F. T. D. Wallace—17.
J. D. Harris,	D. H. Smith,	

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	J. W. Ogilvie,
J. W. Bryan,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	S. E. Hill,	Robert Walker,
A. R. Byers,	J. H. McDanell,	J. H. Wilson—12.

Resolved, That the title of said resolution be as aforesaid.

Mr. Martin, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill regulating the transportation of coal by railroad corporations in this Commonwealth,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Feland moved an amendment as a substitute for said bill.

On motion of Mr. Martin,

Ordered, That said bill and proposed amendment as a substitute be printed and made the special order of the day for Tuesday next, April 6th, at 11 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration a joint resolution, entitled

Resolution providing for the adjournment of the General Assembly.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the General Assembly shall adjourn *sine die* on Thursday, April 8, 1886, at 12 o'clock M., and no bills shall be considered that day.

Mr. Wilson moved that the Senate do adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers, J. H. McDanell, J. H. Wilson—4.
R. G. Hays,

Those who voted in the negative, were—

R. T. Albritton,	John Feland,	J. R. W. Smith,
M. C. Alford,	G. G. Gilbert,	E. R. Sparks,
R. A. Burnett,	J. D. Harris,	W. H. Taulbee,
W. J. Caudill,	S. E. Hill,	R. S. Triplett,
C. M. Clay, Jr.,	W. F. Neat,	Robert Walker,
F. M. Clement,	F. D. Rigney,	E. L. Worthington,
W. M. Cravens,	D. H. Smith,	F. T. D. Wallace—22.
Henry Dixon,		

The question was then taken on the motion heretofore entered by Mr. J. R. W. Smith to reconsider the vote by which the Senate had adopted said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Price, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. M. Cravens,	F. D. Rigney,
J. W. Bryan,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	J. D. Harris,	W. H. Taulbee,
A. R. Byers,	S. E. Hill,	Robert Walker,
W. J. Caudill,	J. H. McDanell,	E. L. Worthington,
C. M. Clay, Jr.,	J. W. Ogilvie,	J. H. Wilson—19.
F. M. Clement,		

Those who voted in the negative, were—

R. T. Albritton,	W. F. Neat,	E. R. Sparks,
John Feland,	J. N. Price,	R. S. Triplett,
G. G. Gilbert,	D. H. Smith,	F. T. D. Wallace—10.
R. G. Hays,		

Mr. Bryan moved to amend said resolution by inserting fifteenth April, 1886, instead of eighth April, 1886.

Mr. Taulbee moved to amend said resolution by striking out eighth April, and inserting in lieu thereof the tenth day of May.

Mr. Hays moved to lay said resolution and proposed amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	R. G. Hays,	D. H. Smith,
R. A. Burnett,	J. H. McDanell,	E. R. Sparks,
A. R. Byers,	J. W. Ogilvie,	Robert Walker,
W. J. Caudill,	J. N. Price,	E. L. Worthington,
F. M. Clement,	F. D. Rigney,	J. H. Wilson—16.
W. M. Cravens,		

Those who voted in the negative, were—

R. T. Albritton,	G. G. Gilbert,	J. R. W. Smith,
J. W. Bryan,	J. D. Harris,	W. H. Taulbee,
C. M. Clay, Jr.,	S. E. Hill,	R. S. Triplett,
John Feland,	W. F. Neat,	F. T. D. Wallace—13.
W. H. Frederick,		

So said resolution was rejected.

On motion of Mr. J. R. W. Smith, the Senate then adjourned.

FRIDAY, APRIL 2, 1886.

The reading of the Journal of yesterday was dispensed with.

The roll call was dispensed with.

On motion of Mr. Wallace, leave of absence, indefinitely, was granted Mr. D. H. Smith.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Brent Talbott, of Boyle county.

An act to authorize the Board of Trustees of the town of Danville to issue bonds to the amount of five thousand dollars

An act to incorporate the Sulphur Natural Gas Fuel and Salt Company, of Sulphur.

An act to authorize the County Judge of Boyd county to collect certain uncollected county revenue due said county.

An act to authorize John M. Patrick, Jeff. Arnett and Levi Patrick to establish and operate a boom across the Middle Fork of Licking river.

An act to amend an act, entitled "An act to regulate proceedings in the Henderson Circuit Court," approved May 4, 1884, and to extend the January term of said court.

That they had passed bills and adopted a resolution, of the following titles, viz:

1. An act for the benefit of Ed. Mitchell, of Allen county.
2. An act for the benefit of B. W. Burchett, late Sheriff of Carter county
3. An act for the benefit of William Henderson, Thomas F. Terrell, Jr., and Thomas Heady, of Ballard county.
4. An act to amend the charter of the town of Ghent.
5. An act for the benefit of F. M. Spurrier, lately a Deputy Sheriff of Grayson county.
6. An act for the benefit of Wm. P. Croley, of Whitley county.
7. An act to amend chapter 522, of the Session Acts of 1849 and 1850.
8. An act for the benefit of Theodore Herrmann Schuelyfeuring, of Henry county.
9. An act to incorporate the Laurel County Fair Company.
10. An act for the benefit of school district No. 9, in Nelson county.
11. An act to authorize the sale of the Payne's Depot and Mt. Vernon Turnpike Road, in Scott and Woodford counties.
12. An act to re-instate an act, No. 256, of the General Assembly of the Commonwealth of Kentucky, approved February 28, 1876, entitled "An act to prohibit the sale of spirituous, malt and vinous liquors in Glasgow, and within one mile from the outside boundary thereof, and to repeal all acts in conflict with said act."
13. An act to establish the line between Breckinridge and Hancock counties.

14. An act to prohibit certain trespasses to personal property in Kenton and Campbell counties.

15. An act in reference to the subscription by Bourbon county to the capital stock of turnpike roads in said county.

16. An act to amend the charter of the town of Glasgow, in Barren county.

17. An act for the benefit of Thos. J. Hall, Justice of the Peace in the Pleasureville Magisterial District, in Henry county.

18. An act to change the voting place in Justice's District No. 2, usually called the Millville Precinct, in Woodford county.

19. An act creating an additional voting place in Breckinridge county.

20. An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869.

21. An act for the benefit of J. A. Clark, late Assessor for Marshall county.

22. An act for the benefit of G. F. Johnson, Clerk Lawrence County Court, etc.

23. An act changing the boundary line between the Hardinsburg and Bewleyville and the Union Star and Bewleyville Justices' Districts, of Breckinridge county, and to change the voting place thereof.

24. An act for the benefit of S. H. Wells, Clerk of the County Court of Todd county.

25. An act to authorize and empower W. W. Robertson, late Judge of the Marshall Circuit Court, to sign certain orders made by him as such Judge.

26. An act for the benefit of James L. Plummer, late Sheriff of Simpson county.

27. An act authorizing the Board of Directors of the Kentucky Bellefonte Iron Company to change the name of said corporation.

28. An act to allow Jno. B. Spencer, Sheriff of Lawrence county, further time in which to give revenue bond.

29. An act to incorporate the Breckinridge Company, limited, of London, England.

30. An act for the benefit of Harrison Eaton, of Barren

($5,000) for purpose of raising money to pay bonds to said amount issued to pay for stock in the Danville Gas-light Company.

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester," approved February 2, 1882.

An act to amend the charter of the town of Bellevue, Campbell county.

An act authorizing the appointment of a Treasurer for Scott county and agent for the McCracken fund.

An act to amend the charter of the Jamestown district, in Campbell county, approved April 4, 1884.

An act to establish a Treasurer for Harlan county.

An act to repeal so much of section 7, chapter 81, of the General Statutes, as makes the offices of Surveyor and Deputy Clerk incompatible.

An act to regulate the time for holding the Bullitt County Court.

An act to include McCracken county in the game law, approved March 11, 1876.

An act to extend the limits of the town of North Middletown, in Bourbon county.

An act to amend the charter of the Masonic Widows' and Orphans' Home and Infirmary.

An act for the benefit of Isaac C. Adair, of Hancock county.

An act fixing the compensation of Justices of the Peace of Pulaski county sitting as a Court of Claims.

An act to change the time of holding the Court of Claims in Elliott county.

An act to exempt members of the fire department of Winchester from the payment of poll-tax and from jury service.

An act to incorporate the Cumberland County Sulphur Spring.

An act to amend and continue in force an act to incorporate the town of Paynesville, in the county of Meade.

An act to authorize the County Court of Harlan county to issue bonds to raise money to build a court-house.

An act to amend sections 6 and 8, of chapter 70, General Statutes.

An act to incorporate the Madison Club, of Richmond, Kentucky.

An act to amend the charter of the Baptist Female College, at Bardstown, approved February 27, 1865.

An act to incorporate the Kenton Game Preserve Club.

An act ceding control of Salt river, in Kentucky, to the United States for the purpose of locking and damming same, and authorizing the United States to hold and acquire land adjacent to said river for that purpose.

An act to incorporate the Fairview Cemetery Company, of Shelby county.

An act to amend an act, entitled "An act to authorize and empower precinct No. 3, Livermore, McLean county, to compromise and fund its bonded debt," approved April 13, 1880.

An act to amend and reduce into one the several acts in relation to roads and bridges in Union county.

An act to incorporate the Bowling Green and Northern Railroad Company.

An act to amend the charter of the city of Louisville.

That they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to empower Logan county to retire the bonds of said county, to create a sinking fund, to provide for commissioners of same, and to provide for the collection of taxes for that purpose in said county.

An act to authorize and empower the County Court of Johnson county to issue the bonds of said county to pay for the right of way of any railway company through said county.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act for the benefit of David J. Cassity, of the county of Breathitt.

An act for the benefit of Lizzie Rutledge, wife of Thomas Rutledge, of Shelby county.

An act for the benefit of M. F. Garred, of Lawrence county, to protect his ferry rights.

An act to incorporate the Sulphur Natural Gas Fuel and Salt Company, of Sulphur.

An act to authorize the County Judge of Boyd county to collect certain uncollected county revenue due said county.

An act to authorize John M. Patrick, Jeff. Arnett and Levi Patrick to establish and operate a boom across the Middle Fork of Licking river.

An act to amend an act, entitled "An act to regulate proceedings in the Henderson Circuit Court," approved May 4, 1884, and to extend the January term of said court.

That they had passed bills and adopted a resolution, of the following titles, viz:

1. An act for the benefit of Ed. Mitchell, of Allen county.

2. An act for the benefit of B. W. Burchett, late Sheriff of Carter county

3. An act for the benefit of William Henderson, Thomas F. Terrell, Jr., and Thomas Heady, of Ballard county.

4. An act to amend the charter of the town of Ghent.

5. An act for the benefit of F. M. Spurrier, lately a Deputy Sheriff of Grayson county.

6. An act for the benefit of Wm. P. Croley, of Whitley county.

7. An act to amend chapter 522, of the Session Acts of 1849 and 1850.

8. An act for the benefit of Theodore Herrmann Schuelyfeuring, of Henry county.

9. An act to incorporate the Laurel County Fair Company.

10. An act for the benefit of school district No. 9, in Nelson county.

11. An act to authorize the sale of the Payne's Depot and Mt. Vernon Turnpike Road, in Scott and Woodford counties.

12. An act to re-instate an act, No. 256, of the General Assembly of the Commonwealth of Kentucky, approved February 28, 1876, entitled "An act to prohibit the sale of spirituous, malt and vinous liquors in Glasgow, and within one mile from the outside boundary thereof, and to repeal all acts in conflict with said act."

13. An act to establish the line between Breckinridge and Hancock counties.

14. An act to prohibit certain trespasses to personal property in Kenton and Campbell counties.

15. An act in reference to the subscription by Bourbon county to the capital stock of turnpike roads in said county.

16. An act to amend the charter of the town of Glasgow, in Barren county.

17. An act for the benefit of Thos. J. Hall, Justice of the Peace in the Pleasureville Magisterial District, in Henry county.

18. An act to change the voting place in Justice's District No. 2, usually called the Millville Precinct, in Woodford county.

19. An act creating an additional voting place in Breckinridge county.

20. An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869.

21. An act for the benefit of J. A. Clark, late Assessor for Marshall county.

22. An act for the benefit of G. F. Johnson, Clerk Lawrence County Court, etc.

23. An act changing the boundary line between the Hardinsburg and Bewleyville and the Union Star and Bewleyville Justices' Districts, of Breckinridge county, and to change the voting place thereof.

24. An act for the benefit of S. H. Wells, Clerk of the County Court of Todd county.

25. An act to authorize and empower W. W. Robertson, late Judge of the Marshall Circuit Court, to sign certain orders made by him as such Judge.

26. An act for the benefit of James L. Plummer, late Sheriff of Simpson county.

27. An act authorizing the Board of Directors of the Kentucky Bellefonte Iron Company to change the name of said corporation.

28. An act to allow Jno. B. Spencer, Sheriff of Lawrence county, further time in which to give revenue bond.

29. An act to incorporate the Breckinridge Company, limited, of London, England.

30. An act for the benefit of Harrison Eaton, of Barren

county, and to change the line between the counties of Barren and Metcalfe.

31. An act to prohibit the sale of spirituous, vinous and malt liquors in Clinton, Metcalfe and Monroe counties.

32. An act changing the county line between the counties of Morgan, Menifee and Breathitt.

33. An act for the benefit of J. H. McHargue, of Pulaski county.

34. An act to incorporate the American Mutual Benefit Association of Mexican War Veterans.

35. Joint resolution for the benefit of J. A. Grant, W. T. Flynn and Robert Loomis.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred--the 1st, 3d, 8th, 13th, 30th, 32d and 33d to the Committee on Propositions and Grievances; the 2d, 5th, 16th, 21st, 22d, 23d, 24th, 25th and 28th to the Committee on General Statutes; the 4th and 17th to the Committee on Courts of Justice; the 6th and 10th to the Committee on Education; the 7th, 9th and 11th to the Committee on Railroads; the 12th to the Committee on Religion and Morals; the 14th and 15th to the Committee on the Judiciary; the 18th to the Committee on Immigration and Labor; the 19th to the Committee on Privileges and Elections; the 20th to the Committee on Military Affairs; the 26th and 35th to the Committee on Claims; the 27th and 29th to the Committee on Internal Improvements, and the 34th to the Committee on Banks and Insurance,

And the 31st was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend an act to amend and reduce into one the acts in relation to the town of Harrodsburg.

An act conferring certain powers on the trustees of school district No. 16, in Campbell county.

An act to confirm and legalize an election held March 16, 1885, in school district No. 19, in Fleming county.

An act to establish a normal school at Tompkinsville, in Monroe county.

An act to amend an act, entitled "An act to maintain a graded school in Hartford, and to provide for the erection of school buildings therein," approved March 16, 1878.

An act changing the boundary of common school district No. 29, in Lyon county.

Resolution urging Kentucky Representatives in Congress to secure the passage of an act pensioning Mexican soldiers.

Mr. Frederick withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act, entitled "An act to establish a road district in Jefferson county," approved May 12, 1884.

Mr. Neat, from the Committee on Enrollments, reported that the committee hadexamined an enrolled bill which originated in the House of Representatives, of the following title, viz:

An act to incorporate the Anderson Hill Inclined Plane and Railway Company;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to repeal an act requiring certain legal advertisements in Pendleton county to be inserted in any paper in general circulation published in Pendleton county, approved April 24, 1880;

An act for the benefit of common school district No. 7, Boyd county;

An act to amend an act, entitled "An act to incorporate the Harrison Female College," approved January 24, 1880;

An act to incorporate the Ohio Valley Telephone Company;

An act to repeal section 7 of an act, entitled "An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of Kentucky," approved February 11, 1873;

An act providing for the adoption and use of trade-marks for timber dealers, and to regulate the fees for taking up floating timber, staves, railroad ties, etc., and prescribing the manner of collecting the same on the Big Sandy and Ohio rivers;

An act to authorize the trustees of common school district No. 2, in the county of Lee, to sell the school-house and site, and invest the proceeds in other school property for the use of said district;

An act to incorporate the Cynthiana Library;

An act to amend an act, entitled "An act to establish the boundary line between school district No. 80, in Lawrence county, and No. 26, in Boyd county;"

An act to amend an act, entitled "An act to regulate proceedings in the Henderson Circuit Court," approved May 4, 1884, and to extend the January term of said court;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate, according to order, took up for consideration the majority and minority reports of the special joint advisory committee appointed to investigate the convict labor troubles.

Mr. Hays moved that the further consideration of said reports be postponed, and that said reports be made the special order of the day for Tuesday, April 6th, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Feland read and laid on the table a joint resolution, entitled

Resolution declaring the policy of the General Assembly.

Said resolution reads as follows, viz:

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That it is the purpose of the General Assembly at its present session, and as soon as practicable, to

take up and dispose of all questions growing out of the working of convicts outside the walls of the Penitentiary.

2. That in view of this fact, all good citizens are expected to await the action of the Legislature, and all disorderly persons are notified that any action they may take in anticipation thereof will be at their peril.

3. Therefore the Governor is requested to recall the military force at Greenwood, unless or until there is some further manifestation of a disposition to interfere with the enforcement of the law or the peace and good order of the Commonwealth.

Which, under the rule, lies over one day.

Mr. Wilson moved that the report of the special joint committee appointed to investigate the treatment of convicts in coal mines, concerning the conduct of R. Buckner Allen in refusing to deliver to said committee the testimony taken by him as stenographer, be printed.

And the question being taken thereon, it was decided in the affirmative.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, April 2, 1886.

Gentlemen of the Senate:

I have the honor to return herewith a bill, entitled "An act to incorporate the Ohio, Kentucky and Virginia Railway Company;" a bill, entitled "An act to incorporate the Hopkinsville Branch Railroad Company," and a bill, entitled "An act to incorporate the Madison and South-eastern Railway Company."

The twelfth section of the first bill provides that "the property and effects of the said The Ohio, Kentucky and Virginia Railroad Company shall be exempt from taxation during the construction, and for a period of five years after completion thereof," and a similar provision is found in each of the other two. They are each, therefore, in my judgment, inconsistent in that particular with the first section of the thirteenth article of the Constitution, which declares that no man or set of men are entitled to exclusive separate public emoluments or privileges from the community but in consideration of public services.

The vital principle of republican government is equality. Equality in the distribution of its burden, as well as in the dispensation of its blessings. Whenever government violates that principle by discriminating between those who are entitled to its protection, whether it be by undue exoneration on the one hand or unjust imposition on the other, it becomes, to the extent of such discrimination, and to those who are prejudiced by it, essentially despotism, under whatever form it may be organized. This is manifestly the meaning of the declaration in our Bill of Rights above quoted, and it was evidently incorporated in our Constitution in order that this cardinal principle of republican freedom might never be lost sight of or carelessly disregarded by any department of the Government.

Yet that the provision in these bills to which I have referred, is in plain violation of this fundamental doctrine which has been made so conspicuous in our Constitution, I think there can be no possible question. Should either of these corporations construct its road, it will certainly be as much interested in all the purposes for which taxation is usually necessary as any citizens in the Commonwealth, and in many of them perhaps more so, and according to every principle of justice and fair dealing should be required to bear its proportion of the burden which the accomplishment of those purposes imposes. To be exonerated from that burden would be a very valuable privilege from which the general body of tax payers are debarred, and not only so, not only are other tax payers debarred from this privilege, but their burdens would be increased by the very fact of its being conferred upon these companies, for every dollar they are excused from paying must necessarily be paid by those who are not so favored as to be exonerated. This would not only be unjust, but in effect the arbitrary taking of private property from one class of persons for the benefit of another, which can not be done under our Constitution, even upon the fullest compensation, beside destroying that equality which is absolutely necessary to all constitutional taxation.

It is true that an exact equalization of the burden of taxation is rarely if ever attainable, but it should be approximated in all instances as nearly as possible, and to that end there are certain fundamental principles which should never be lost sight of.

The Legislature may determine when a tax shall be levied, what shall be the subjects of taxation, and by what method it shall be raised, but for whatever purpose it shall be intended, whatever amount may be required, or upon whatever object it may be imposed, the Constitution requires that it shall be general and uniform. That it shall operate alike upon all persons and property within the classes designated for taxation, and that no person or thing within the designated class can be exempted from its burden, except in consideration of public services. These prime principles were judicially declared to be indispensable to the constitutionality of a tax over forty-five years ago by the Court of Appeals, in the case of the City of Lexington vs. McQuillins heirs, 9 Dana, 516.

Chief-Justice Robertson, delivering the opinion of the court, said: "An exact equalization of the burdens of taxation is unattainable and Utopian. But still there are well-defined limits within which the practicable equality of the Constitution may be preserved, and which, therefore, should be deemed impossible barriers to legislative power. Taxation may not be universal, but it must be uniform. Then if a capitation tax be laid, none of the class of persons thus taxed can be constitutionally exempt on any other ground than public service, and if a tax be laid on land, no land within the limits of the State can be constitutionally exempt unless the owner be entitled to such immunity in consequence of public service, and although there may be a discrimination in the subjects of taxation, still persons in the same class and property of the same kind must generally be subjected alike to the same common tax."

This alone is taxation according to our notion of taxation in Kentucky. These principles have since been reiterated by the same exalted tribunal in numerous instances, but in none of them more clearly or cogently than in the opinion delivered by our present distinguished Chief-Justice, in the recent case of Barbour vs. The Board of Trade, 6 Law Reporter, 769, which will stand as a conspicuous monument to his judicial ability as long as enlightened jurisprudence shall be known among our people.

His argument is not only so perspicuous and irrefragable, but

so apposite to the point under consideration, that I cannot refrain from the following quotation:

"The exemption of this corporation from State taxation is a tax to that extent upon every citizen of the Commonwealth, as every other citizen must help to bear the burden thus lifted from the corporation. As a general rule the test of the right to exempt property, is right to levy a tax to foster such property. The levy of a direct tax upon the whole people of the State, to be paid to the corporation to forward the objects stated in its charter, would be declared unconstitutional at the first blush; and yet that is what is indirectly done by the exemption. If the same power exercised by this corporation had been conferred upon a designated individual, it would strike any one as palpably beyond legislative authority; but there is no difference in principle between the corporation and an individual. If there is power to exempt one, there is unquestionably the power to exempt the other. * * * * * * Every citizen is entitled to equal rights and privileges with every other citizen. In entering into the social compact called government, he stipulates to bear only his proportion of the common burden of taxation; and when more is imposed on him, his property is taken without his consent and without consideration, it is spoliation."

It will not do to say that the mere construction and operation of a railroad in any part of the State is the sort of public service alluded to by the framers of the Constitution, and that, therefore, the person or corporation who may build and operate it is entitled to special privileges. It is true that the prosecution of such enterprises may incidentally promote the public convenience, increase the general commerce, and contribute to the aggregate wealth of the community; but it must be remembered that for all these things the person or corporation prosecuting such an enterprise, looks to the person accommodated thereby for ample compensation for the immediate benefit conferred. Railroads are not built to promote public prosperity, but for private gain. It is safe to say that no corporation was ever organized, or ever will be organized, to construct and operate any railway simply for the public good. People at this day are not so patriotic or philanthropic. The dividend upon the investment is always the principal thing had in view. If the

originators of such enterprises are satisfied that they will pay, they are very certain not to be prosecuted. But conceding that such enterprises do to a great extent add to the public convenience, increase the aggregate wealth, and facilitate commerce among the people, the same is equally true of every other industrial enterprise known among men, whether prosecuted by individuals or by corporations; and if one should be exempt from taxation on that account, the same reason would exempt them all.

Nor will it do to say that such an exemption is constitutional, because other acts of the same kind have heretofore been passed or because similar statutes may have been held valid in other States. That would be simply saying that any constitutional limitation may be destroyed by repeated violations of it; that all the safeguards of human rights may be dissipated by a few vicious precedents. It is enough, however, to say that had the test laid down by the Court of Appeals in the Board of Trade case been applied in this instance, that if the proposition had been to levy a tax upon the whole people of the State to raise a sum for these corporations equal to the amount which it is proposed to relieve them from paying, it is probable that neither of these bills would have received a single vote in either House, yet the result would be precisely the same in both cases.

I am, very respectfully,

J. PROCTOR KNOTT.

Said bills read as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby created and established a body-politic and corporate, under the name and style of the Hopkinsville Branch Railroad Company, and as such it shall have perpetual succession; and said corporation, its successors and assigns, are hereby authorized and made capable in law of purchasing and holding and using such real and personal estate as may be necessary for the purpose of its incorporation, and such as may be taken or acquired in the payment of dues to it, and such as may be donated to it; and to sue and be sued, plead and be impleaded; to use a common seal, and the same to alter, break or renew at pleasure.

§ 2. That the said corporation shall also have, and it is here-

by authorized and invested with, the right and power to build, contract, and thereafter to use, operate, own and enjoy a railroad and branches thereof, not exceeding twenty-five miles in length from its main line, with a double or single track, switches, sidings and depots along such route as the company may select, from the city of Hopkinsville, in Christian county, to some point on the Indiana, Alabama and Texas Railroad, or on the Cumberland river, in Kentucky, or to Lafayette, in Christian county, or to Cadiz, Trigg county, Kentucky, or to some point on the Chesapeake, Ohio and South-western Railroad; and may extend the said railroad on to Mayfield, in Graves county, or by any other route they may deem best, to a point on the Mississippi river, in this State.

§ 3. That the capital stock of said company shall be fifty thousand dollars; but the same may be, from time to time, increased to a sum or sums not exceeding the amount necessary for the construction, completion and equipment of said railroad and property. Said capital stock shall be in shares of one hundred dollars each, and each share thereof shall entitle the holder to one vote in the election of directors, and on all questions coming before the stockholders, under such regulations as the company may in its by-laws provide. Said stock shall be deemed personal property, transferable by assignment, agreeable to the by-laws of said company.

§ 4. That C. H. Bush, E. P. Campbell, Samuel G. Buckner, R. T. Petree, S. E. Trice, H. G. Abernathy and J. D. Russell, of Christian county, or such majority of them as may choose to act, are hereby constituted and appointed commissioners to open books and receive subscription to the capital stock of the company at such times and places, and upon such terms and conditions as they may deem proper; and whenever subscription of stock to the amount of twenty-five hundred dollars has been made, such acting commissioners shall call together the subscribers of said stock for the purpose of electing a board of directors. The stockholders shall then proceed to elect from their number seven directors, who shall hold office for two years, and until their successors are elected and qualified; and thereafter the management and control of the property and the business affairs thereof shall pass to such board of directors and such officers and agents as they may designate and elect; and said board of directors may, of their number, elect a president, and fix his term of office and compensation; and may provide for the election or appointment and removal of such other officers and agents as and when they please, and may create and abolish such offices, fix the duration and compensation thereof from time to time as may seem best, and adopt, modify or alter by-laws for said company at their will, not inconsistent with the Constitution and laws of this State or of the United States, and do all other acts proper or necessary to be done in the management of the affairs of said company.

§ 5. That said company shall have the power to execute negotiable bonds in a sum not exceeding three thousand dollars, and to execute a mortgage on its railroad rights, franchises, privileges and other property to secure the payment of the principal and interest thereof, and to sell and deliver said bonds at such price and in such manner as the directors may deem best. Said company may consolidate with any other railroad company of this State upon such terms as said company may adopt and establish; and it shall have power and authority to lease to any other railroad company of this State its railroad branches and all its property, franchises, rights, powers, privileges and immunities then owned or thereafter to be acquired; and in case of a lease, the lessee shall enjoy and possess, so far as the items of the lease may allow, all the property, franchises, rights, powers and privileges which the said company is empowered to possess, use and enjoy; and it may make such traffic and running arrangements with other railroads as it may see proper. The said company, for the purpose of its own business, is authorized to acquire or put up, use and operate a line or lines of telegraph in this State along the line of said road, and to acquire, hold and enjoy all such property as may be necessary or convenient in doing the said telegraph business.

§ 6. That in order to make the rate for transportation of goods, wares and merchandise and other property, and the rates of fare for the transportation of passengers uniform in this State, the company hereby incorporated shall have the right to make the same charges for such transportation of goods, wares, merchandise and other property and passengers that the other railroad companies in this State charge by virtue of their charter and amendments thereto.

§ 7. Said company is hereby authorized to cause such examinations and surveys to be made as shall be deemed necessary to determine the most eligible route upon which to locate its lines and branches, side-tracks and switches, and with the consent of the owners thereof, to enter upon and appropriate all such lands, rocks, timber, earth and gravel, sand, and other materials as may be private property, which may be convenient or necessary for the construction and operation of such railroad, branches and switches, together with fifty feet either side of the center of such track or tracks of such railroad and branches, side-tracks and switches, but in case the company fail to agree with the owners of such lands or material upon the price to be paid for the fee-simple title thereto, or in case the owner is under any disability to contract or is absent from the State or is unknown, the company may proceed to condemn such lands and material as provided by the act of the Legislature of this State, approved April 1, 1882, chapter 953, and entitled "An act to prescribe the mode of condemning land for the use of railroad and turnpike purposes, with all the rights and powers therein provided, and upon such condemnation being had and the payment of the

sums assessed and awarded, the title in fee-simple to such lands and material shall vest in said company, its successors and assigns, and it may take immediate possession thereof. Said company is also authorized to construct, maintain and operate its railroad over and across all streams or bodies of water in this State, whether navigable or not, which lie across or along their line: *Provided*, That when any navigable stream is crossed, a bridge or draw sufficient to allow the passage of water craft plying such waters shall be maintained and operated so as to cause no unreasonable delay to such craft or impediment to navigation.

§ 8. Said company is hereby granted the right to run its railroads and branches, side-tracks and switches into the corporate limits of any incorporated town or city on the line of its road, after having first obtained the consent of said towns or cities, and to build and operate such railroad tracks across or along any street of such incorporated municipality or any other public highway: *Provided*, That such part of said railroad as shall be located in, across, under or upon any such street or highway shall be so constructed and operated as shall not unreasonably hinder its use as a street or highway.

§ 9. That in order to aid in the construction and equipment of said road, power and authority are hereby conferred upon the city of Hopkinsville in its municipal capacity to subscribe and pay for any amount of the capital stock of said company that may be deemed advisable by its board of council not exceeding $50,000, and said board of council shall have power and authority in the name of said city to issue the bonds of said city, payable to bearer with coupons attached, to be signed and attested by the chairman or clerk of said board under the seal of said city. Said bonds to bear interest at any rate not exceeding six per cent. per annum, payable annually or semi-annually, for such amounts and such time and place as may be prescribed by said board of council, and may sell said bonds for the purpose of paying for the capital stock of said railroad company, or may exchange same in payment for said stock, and may also pledge or bind the revenue of said city for the payment of the principal and interest of said bonds, and may cause to be collected a special tax upon the real and personal property subjected to taxation in said city for the payment of the principal and interest of said bonds.

§ 10. *Provided*, That no such subscription for the capital stock of said company shall be made by said board of council, nor shall said bonds of said city be issued unless two-thirds of said board of council agree to same, to be entered of record on the books of said board, nor shall such subscription be made or bonds issued until the proposition to make same shall have been first submitted for the approval and ratification of the qualified voters of said city, either at a general or special election, and a majority of whom shall have voted in favor of said

proposition. The proposition to be voted upon at said election shall be published in one or more newspapers published in said city at least twenty days before said election.

§ 11. That whenever the president and a majority of the directors of said railroad company and also twenty-five citizens who are tax payers and legal voters of the Justices' District of Christian county, embracing the city of Hopkinsville, and known as the Hopkinsville District, shall request in writing the County Judge of said county to cause an election to be held in said district, for the purpose of taking the sense of the qualified voters of said district on a proposition as to whether said district shall or shall not aid in the construction of said railroad by subscribing for not exceeding $75,000 of the capital stock of said company. The County Judge may cause said proposition to be submitted to the qualified voters of said district either at a general election held for said district, or a special election called by him for that purpose. Said proposition to be voted upon at said election shall be published in one or more newspapers published in said district for not less than thirty days before said election, and said Judge shall appoint the officers necessary to hold said election.

§ 12. The persons acting at said district election shall return to the Clerk of the County Court within three days after the day of such election the poll-books of the two election precincts in said district, and on the next day thereafter the County Judge and County Court Clerk shall count the votes, and if it shall appear that a majority of all the votes cast at said election shall have voted in favor of the subscription of stock as proposed, the County Judge shall order the vote to be entered on record, and the subscription to be made for said stock by the Clerk of said Court for and on behalf of said district upon the terms specified in the order submitting the question to a vote, and said Judge, in order to pay for said stock, cause bonds to be issued to the amount of said stock subscribed for in denominations of not less than $100 each on behalf of said district, payable to bearer with coupons attached, bearing interest at the rate of six per cent. per annum payable annually, and the principal payable twenty years after date, with the privilege of paying in full at any time before maturity. Said bonds and coupons to be signed by said Judge on behalf of said district. The bonds shall show on their face the district for which they were issued, and said district alone shall be responsible for the payment of principal and interest.

§ 13. The County Court of said county shall annually cause a tax sufficient to pay the interest on said bonds, and the cost of collecting the same to be levied and collected upon all the property in said district, subject to taxation under the general revenue laws of this Commonwealth, and shall before the maturity of said bonds collect from said district a sufficient amount to pay the principal of said bonds, and the Sheriff or

Tax Collector for said county shall collect said tax and account for same in the same manner as for the State revenue and county levy, but before he shall proceed to collect the tax herein provided for he shall execute bond with good and approved surety in the said County Court, for the faithful performance of his duties in collecting and paying over the said tax to such person or persons as the court may direct, and shall have same power and authority to levy on and sell property for this tax as for the State revenue, and shall receive the same compensation for collecting same.

§ 14. When said bonds are issued as herein provided for, it shall be the duty of said County Judge to deliver same to said railroad company or such agents as it may designate in payment at par for the amount of stock of said company subscribed for in behalf of said benefit of the tax payers of said district.

§ 15. That the County Court of said county shall have full power and authority, and it shall be its duty to provide for the payment of the coupons attached to said bonds annually, and ultimately for the payment of the principal, by levies of an ad valorem tax on all the taxable property and effects in said district, and shall appoint some good and suitable person receiver and treasurer under this act to receive from said Sheriff and collect the money arising from the tax imposed under this act, and pay out same as the courts may direct, and before proceeding to act he shall execute bond in said courts with good and sufficient surety to be approved by the courts for the faithful discharge of his duties, and pay over to the person in due time any money in his hands as such receiver and treasurer, and he shall keep an accurate account of all money received and paid out by him, and shall make a full settlement of his accounts and vouchers when so required by said courts.

§ 16. The property and effects of the Hopkinsville Branch Railroad Company shall be exempt from taxation during its construction and for five years next after its completion.

§ 17. The General Assembly reserves the right to amend or repeal this charter at any time.

§ 18. This act shall take effect from and after its passage.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That J. W. McGinnis, William M. Cravens, John Bayer, W. T. Craft, W. H. McElvain, John J. Berry, of Henry county, John W. Lee, of Trimble county, John H. Crain, of Anderson county, James R. Marrs, of Boyle county, are hereby created a body-corporate; and they are hereby appointed a board of directors, under the directions of whom subscriptions may be received to the capital stock of the Madison and South-eastern Railway Company, which is hereby incorporated; and they may cause books to be opened at such time and place as they may direct, for the purpose of securing subscription to the capital stock of said company, after having

given such notice as they think proper: *Provided*, That any subscription tendered at any time or place other than those advertised, may be received by said directors or their successors.

§ 2. That the capital stock of the Madison and South-eastern Railway Company shall be not over seven millions of dollars or not over twenty thousand dollars per mile, in shares of one hundred dollars each, which may be subscribed by any individual, company or corporation. As soon as two thousand shares of said stock shall be subscribed, the subscribers, their successors and assigns shall be, and are hereby, declared to be incorporated into a company, by the name of the Madison and South-eastern Railway Company; and by this name shall be capable of purchasing, holding, leasing and conveying real estate and personal estate, so far as the same may be necessary for the purpose of the corporation; and shall have perpetual succession; and by said corporate name may sue and be sued, contract and be contracted with; and may have and use a common seal, and alter and renew the same at pleasure.

§ 3. The subscription for stock in said company shall be payable in installments at such times as may be required by the board of directors of said company; but no such payment shall be demanded until at least ten days' notice shall have been given by publication in one or more newspapers published on the line of said road; and if any subscriber shall fail to pay any installment when so demanded, the same may be recovered by an action in the name of the corporation before any court having jurisdiction in such cases; and in all such actions, it shall not be necessary to prove any other demand than publication provided for in this section, or in case such a failure to pay any installment or part of an installment so demanded, shall continue for the space of sixty days after the time the same is required by such a demand to be paid, the board of directors may, at their direction, order the same to be forfeited to the company; and may, if they think proper, sell such share or shares for the benefit of the company, or in event of the highest bid being less than the unpaid balance and interest on said subscription, then the company may become purchaser, and shall retire said subscription; but the board of directors, by a majority of the whole, may remit such forfeiture on such terms as they may think proper: *Provided*, It shall be lawful for the board of directors to receive subscriptions to said capital stock, payable in contracts well secured, to build any part of said road, or any bridge or bridges on same, or perform any kind of work, or furnish materials which may be accepted by the company: *And provided further*, That subscriptions to said capital stock may be made in real estate, situated in Kentucky or any other State, if said subscription shall be tendered to the board of directors. Said real estate to be taken at its cash value, to be assessed at the time by three commissioners on oath, of whom two shall be elected by the

company and one by the person proposing to subscribe; upon their report in writing, describing the land, assessing its cash value, they may receive the same at its value, and issue a certificate of stock, and may take a conveyance in fee-simple.

§ 4. The said directors shall serve until their successors are elected on the second Tuesday in May, 1888, and shall have power to elect one of their number as president of the company, and allow him such compensation as they may think reasonable. That to continue the succession of the president and directors of said company, seven directors shall be chosen annually on the second Tuesday in May, at such place as the president and directors may appoint, by the stockholders of said company: *Provided*, That the president and directors may change the time and place of holding elections, upon publishing such change not less than thirty days prior to the election, in one or more newspapers along the line of the railway; and that the directors, or a majority of them, shall have power to appoint judges of all elections, to elect a president of said company from among themselves; and if any vacancy shall occur by death, resignation or refusal to act of any president or director before the year for which he was elected shall have expired, a person to fill such vacancy shall be appointed by the board of directors, or a majority of them; and that the president and directors of said company shall hold and exercise their office until their successors are elected and enter upon the discharge of their duties; and all the elections which are by this act, or by the by-laws of said company to be made at a particular time, if not made at such time, may be made in ninety days thereafter, upon notice in a newspaper aforesaid; and at all elections and all other occasions where a vote of stockholders of said company is taken, each stockholder shall be allowed one vote for every share of stock owned by such votes; and any stockholder may, in writing, depute any other person to act as proxy for it, him or her.

§ 5. That a general meeting of stockholders of said company may be called at any time during the interval between the annual meetings by the president and the directors, or a majority of them, or by stockholders owning one-half of all the stock subscribed, upon thirty days' notice of the time and place of holding the same, in the newspapers aforesaid; and where any such is called by the stockholders, such notice shall specify the object of the call; and if, at any such call meeting, a majority of all the stockholders are not present in person or by proxy, the same shall be adjourned from day to day without transacting any business, for any time not exceeding five days; and if, within five days, stockholders having a majority in value of all stock subscribed, do not attend in person or by proxy, such meeting shall be dissolved.

§ 6. That the president and directors of said company in office for the preceding year shall, at the regular meeting of

the stockholders, exhibit a clear and distinct account of the affairs of said company; that at any call meeting of the stock holders, or a majority in value of the whole of stocks subscribed being present, they may demand and require similar statements from the president and directors, whose duty it shall be to furnish such statements when required.

§ 7. That the president and directors of said company, before he or they act as such, shall take an oath that they will well and truly discharge the duties of their respective offices to the best of their skill and judgment; and the said president and directors, or a majority of them, shall have power to elect or appoint a treasurer of said company, and require and take of him a bond in such penalty and with sureties as they may prescribe, payable to said company, conditioned for the faithful keeping and disbursing of all such money as may be subscribed. Upon every bond recovery may be had for a breach of the conditions thereof by suit in the name of the company, and in any court having jurisdiction.

§ 8. That if any of the stock authorized by this act shall remain unsubscribed at any time, the said president and directors, or a majority of them shall have power to open the books and receive subscriptions of the stock, which shall remain unsubscribed or to sell and dispose of the same for the benefit of the company, and the subscribers or purchasers of such stock shall have all the rights of the original subscribers, and be subject to the same regulations and liabilities.

§ 9. That said president and directors, or a majority of them, may appoint all such officers, agents and servants as they may deem expedient for the business of the company, and may remove the same at pleasure, or said board of directors may delegate to their president the power to appoint or remove any or all such employes subject to their approval, at their first meeting thereafter. That they, or a majority of them, may determine by the contract the pay of such officers, agents or servants, and they shall have power to erect, carry on, conduct and control workshops, eating-houses, warehouses and buildings or edifices necessary for the use of said company, and they shall have the power to direct and regulate in what manner and by what evidence stock in said company may be transferred, and to pass all by-laws they deem necessary and proper for exercising the powers hereby vested in said company, and for carrying into effect this act, and to alter the same at pleasure: *Provided*, The same be not contrary to the Constitution and laws of Kentucky or of the United States.

§ 10. That if the capital stock of said company shall be deemed insufficient for the purpose of this act, it shall be lawful for the president and directors to increase the same as much as they deem it necessary, not exceeding $7,000,000 and not over $20,000 per mile, notice as hereinbefore required, and the said company may borrow any sum of money not exceeding $3,000,-

000, and secure the payment of same by mortgage upon the said road and its branches, or in such way as may be agreed upon.

§ 11. That the president and directors of said company are hereby vested with all the power and rights necessary to the construction of a railway from Madison, Indiana, through Trimble, Carroll, Henry, Shelby, Franklin, Anderson, Mercer, and Boyle counties, or from Madison, Indiana, or a point on the Kentucky side of the Ohio river opposite or as nearly so as may be convenient or practicable to the State line between Kentucky and Tennessee or Virginia, and to the most practicable route, and they may connect with by intersecting and using parts of either or all branches owned or operated by the Louisville and Nashville Railroad Company upon such terms as may be agreed on between the companies interested. The president and directors may cause to make contracts which shall be signed by the president with any corporations, companies or individuals for making said road, or any part of it, and they may purchase or lease any road or roads connecting with said road or any of its branches, and they, their agents, engineers or employes or those of whom they contract for surveying said road, or any part thereof may enter upon and use and excavate any land which may be necessary to said road for its use, or for any purpose necessary in the construction or repairs of said road, or its works and appurtenances, and they may build bridges and construct tunnels, and may use timber, earth, gravel, stone and other materials necessary in the construction or repairs of said road, and may condemn and acquire such lands as may be necessary or useful in the construction of said road or as sites for its depots or such other buildings as may be necessary to said road. Such condemnation and acquisition to be made as provided for in the general laws of this State.

§ 12. Said company may allow interest on all cash subscriptions of stock from the time of paying for said stock up to the time of making the first dividends, and issue the holders stock therefor.

§ 13. That it shall be the duty of the president and each director of said company, and each engineer engaged in the service of the company each for himself, to swear that he is not and will not, during his continuance in office or in the service of said company, become interested, directly or indirectly, in any contract for the construction of said road or any of its branches or any part thereof which has or may be made by the company or any other person. The engineers shall also swear that they will well and truly to the best of their skill and judgment make a fair and impartial estimate of the work done, the material furnished according to contract, and otherwise faithfully perform the duties of engineers so long as they continue in the service of the company. A certificate of such oath taken before any officer authorized by law to administer oaths, shall

be filed with the records of said company. That if in judicial proceedings and judgments of any court of competent jurisdiction, it shall be adjudged that any engineer or any of the officers aforesaid shall at any time after taking such oath have been interested with any contractors in any contract for the construction of said road or any part of it, or for equipping said road or its branches, no recovery in law shall be had on such contracts, and said engineer interested or officer shall be deemed guilty of the crime of perjury.

§ 14. That it shall be lawful for said railway company to acquire, by purchase or donation, and hold land for stone quarries and timber and coal, and other mineral lands along the line of said railroad, that may be necessary for the construction and repair of the road.

§ 15. That said company may connect its said road, or any of its branches, with the railroad of any other company in or out of this State, and may purchase or lease, and operate any railroad connecting with the road or branches of said Madison and South-eastern Railway Company; and it may consolidate with and make running and operating arrangements with any other railroad company, upon such terms as may be agreed upon by the contracting parties; and it shall be lawful for the franchises and subscription of stock granted and subscribed to any other railroad company, to be assigned and transferred to the Madison and South-eastern Railway Company; and the like power and privileges are hereby granted to any railroad company with which it may contract.

§ 16. It shall be lawful for this company to unite their road, branch or branches, with any other railroads, and to acquire interest in other roads or parts of roads, and use the same as parts of their main line, branch or branches, with the consent of the directors of such companies

§ 17. The board of directors of said company are empowered to appoint an executive committee of five persons from among the directors of the company, of whom the president shall be one, and authorize said committee to conduct and manage the affairs and business of the said company during the intervals of the meeting of the board; and may, at any time, discontinue said committee or remove any member thereof.

§ 18. That in order to create and secure a fund for the final payment of the indebtedness of said company, said company is hereby authorized and empowered to create and form a sinking fund for that purpose, in that way deemed most advantageous and practicable by the board of directors for said purpose.

§ 19. The property of the company, including its lines, cars, rolling-stock and property of all kinds and character, real, personal and mixed shall be exempt from all taxation during the construction of the road, and for a period of five years after the completion thereof.

§ 20. Said railroad company may construct or purchase a

telegraph line along the line of said railroad, for the purpose of its business, or become owners of stock in any telegraph company which may construct such line of telegraph, and may establish an express company over their line of railroad, or become owners of stocks in such company.

§ 21. The said company may acquire any corporate rights, franchises and privileges which may be granted it in other States, and use the same, which they may receive from the Legislatures thereof, or which they may acquire therein, not inconsistent with their charter or the laws of Kentucky.

§ 22. They shall begin work on their road in good faith within five years, and complete the same within ten years from the passage of this act, or forfeit all the powers herein conferred. Said railway company shall begin work within two years from the passage of this act, or said charter shall be null and void.

§ 23. This act shall take effect from its passage.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Jay H. Northup, Wallace J. Williamson, George S. Richardson, M. B. Goble, Walter S. Harkins, of Kentucky, and B. D. Harris, of Vermont, Anson Mattby and H. H. Hollister, of New York, and John Carlisle, of Ohio, or any four of them who may act, are hereby appointed commissioners, and they, their associates and successors are created a body-politic and corporate, for the purpose of constructing a railway with a single or double track from the Ohio river at some point in Boyd county, Kentucky, by the most practicable route to the West Virginia and Virginia State line, and may connect with any railway which may be built in or through the eastern part of the State of Kentucky or the adjacent States.

§ 2. The name and style of the corporation hereby created shall be the Ohio, Kentucky and Virginia Railway Company. Said company through its board of directors shall have and may exercise all the powers, and shall have all the privileges and rights usual and incident to such corporations. It may contract and be contracted with, sue and be sued, plead and be impleaded, answer and defend in all courts and places as a natural person, and may have and use a common seal, and may change the same at its pleasure.

§ 3. The capital stock of said company shall be $1,000,000, divided into shares of $100 each, and individuals, railway companies and other corporations, either in or out of the State of Kentucky may subscribe for and hold stock in said company. The said capital stock may at any time be increased by a vote of the majority of the stockholders to any sum necessary for the completion and equipment of said railway not exceeding $10,000,000.

§. 4 The commissioners aforesaid, or such of them as shall act, shall have authority to open books and receive subscriptions for

the stock of said company. Said stock to be paid for in money, work, property, material, or in such kind and manner as may be agreed upon by said commissioners and the subscribers.

§ 5. When *bona fide* subscriptions to the stock of said company shall have been made to the amount of $5,000, the aforesaid commissioners shall give notice and assemble the stockholders at some convenient place which may be within or outside the limits of the State, and said stockholders from among themselves, shall elect not less than seven nor more than eleven directors, one of whom, to be elected by the directors, shall be president of said company. A majority of the board of directors may make and adopt such rules and by-laws for the regulation and management of the business of the company as they may deem proper, which rules and by-laws shall contain nothing inconsistent with the Constitution and laws of this State or of the United States. Meetings of directors or of stockholders of said company may be held at places not within this State, upon twenty days' notice being given to all such directors or stockholders, residents of this State, and any action taken at such meeting shall be as lawful and binding as if held within the State. Offices for the transfer of stock or for the transaction of other business may be established in any part of the United States as the board of directors may determine. An office and an agent shall be maintained in Boyd county, Kentucky, upon whom service of process may be made; actions against said company, other than those mentioned in sections 62 and 63, of the Code of Practice in civil cases, may be brought in any county in which any part of the said railway lies. When any action is rightly brought in any county, process shall be issued to the county in which the office of said company is situated.

§ 6. After the organization of the company shall have been completed according to the terms of section 5 of this act, the management and control of the affairs of the company shall be vested in the board of directors chosen as aforesaid, and their properly elected successors, and said board may continue to receive subscription to the stock of the company. They may acquire and hold such real and personal estate as may be necessary or convenient for the purpose of the company; they may sell or convey such property, and may do all and any things necessary or which may become necessary for the building, equipping and operating of said railway; they may fix rates to be paid for the transportation of passengers and freight over said railway or any part thereof, which rates shall not exceed those charged by other similar railways or railroads in this State.

§ 7. The said company shall have power to purchase, acquire and hold any line of railway finished or unfinished lying on or near its line or crossing the same or between its termini, with all the chartered privileges held or properly exercised by the com-

pany from whom such railway may be bought or acquired, and all the property, real or personal, right of way, etc., of such company, and may make payment for any railway and other property so bought or acquired on such terms and conditions as may be agreed between the parties; and the said Ohio, Kentucky and Virginia Railway Company, in order to enable it to procure coal for its own use in the vicinity of its line, is authorized to open and operate mines of coal, and to construct and operate branch railways to any coal land aforesaid within twenty-five miles of its main line. When any railway or other property as before described shall be acquired by said company any bonds or mortgages of the vendors outstanding may be satisfied by the substitution of bonds issued by the said railway company, the vendees, for an equal amount, and secured in the same manner and upon the same property as were the original bonds, but the said the Ohio, Kentucky and Virginia Railway Company shall not be liable by reason of any such purchase or acquisition for any other debts of such vendors, unless such liability is specially by said railway company assumed and declared.

§ 8. The board of directors, or a majority of said board, are authorized, and shall have power to borrow money, not to exceed in amount the capital stock of the company, and may issue the bonds of the company, bearing interest at a rate not exceeding eight per cent. per annum, which bonds shall be executed by the officers of the company, and made payable at such times and place as said board may order, and they may pledge and mortgage the said railway, or any property belonging to said company, or any part thereof, to secure the payment of the money so borrowed; and they may convey the same, in trust, to such persons as they may designate, to be held in trust to secure the payment of such borrowed money and interest.

§ 9. It shall be lawful for the said Ohio, Kentucky and Virginia Railway Company to obtain, by purchase, gift or transfer from any corporation, association, mining or manufacturing company or railway company, or from any person, the rights of way for their railway and its branches, and such other rights and franchises as may have been obtained or procured by any mining or railway company; and they shall have the power to obtain as aforesaid, lands for station and depot grounds, sidetracks, wharves or landings, or for any other purposes necessary to the proper construction and maintenance and operation of the said railway and its branches; and in like manner said company may obtain all material required for the construction and maintenance of the said railway and its branches; and all contracts and agreements heretofore made by any other mining or railway company for right of way, station or depot grounds, wharves or landings, shall, with the consent of said company, or their successors or assigns, association or corporation, vest in and inure to the benefit of the said railway company hereby

incorporated; and the sale, gift or transfer of such rights of way and other franchises, shall be valid and binding; and if the rights of way or material for said railway or its construction, cannot be procured through or by voluntary agreement, the said company may have the same condemned for the purpose above-named in the manner prescribed by chapter 953, Acts 1881 of act, entitled "An act to prescribe the mode of condemning land for the use of railroads and turnpike companies."

§ 10. The said company is authorized to build, own and operate, in whole or in part, a line of telegraph over or along its lines of railway and branches.

§ 11. The said company may receive and hold any donation of grants of lands, money or bond made to it by any individual or association of individuals.

§ 12. The property and effects of the said Ohio, Kentucky and Virginia Railroad Company shall be exempt from taxation during construction, and for a period of five years after completion thereof.

§ 13. The said company may, the holders of a majority in interest of all stock therein concurring, consolidate with any other railway or railroad company upon such terms as may be mutually adopted; but no such consolidation shall affect the holders of mortgage bonds issued by said Ohio, Kentucky and Virginia Railway Company.

§ 14. The said Ohio, Kentucky and Virginia Railway Company is hereby authorized and empowered to erect and construct for its use a railway bridge or bridges across any navigable stream or river upon its routes; and may condemn land and material therefor in like manner as they are authorized to obtain their right of way: *Provided*, That said bridge or bridges shall be so constructed as not to impede the free navigation of said river or any fork thereof.

§ 15. The General Assembly reserves the power, by general laws, to fix and regulate the rates of charges for transportation of freight and passengers upon said road.

§ 16. This act shall take effect from its passage.

Mr. J. R. W. Smith moved that said message be printed.

And the question being taken thereon, it was decided in the negative.

On motion of Mr. Simon,

Ordered, That said message and bills be referred to the Committee on the Judiciary.

Mr. Harris moved that the testimony taken before the special joint committee appointed to investigate the treatment of convicts in coal mines now in the possession of said committee, and

also any additional testimony that may be produced to said committee by R. Buckner Allen, stenographer, be printed.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Hays, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	W. H. Taulbee,
A. R. Byers,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	J. H. McDanell,	F. T. D. Wallace,
F. M. Clement,	W. F. Neat,	E. L. Worthington,
W. H. Frederick,	J. N. Price,	J. H. Wilson—19.
J. D. Harris,		

Those who voted in the negative, were—

M. C. Alford,	G. G. Gilbert,	L. W. McKee,
J. W. Bryan,	L. M. Martin,	J. T. Simon—7.
John Feland,		

Mr. Bryan read and laid on the table a joint resolution, entitled

Resolution requesting R. Buckner Allen to produce the testimony taken by him for the joint committee on Greenwood mines.

Which, under the rule, lies over one day.

Mr. Gilbert moved that the rules be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

Said resolution was taken up and read as follows, viz:

Resolved by the Senate and House of Representatives, That Buckner Allen be, and he is hereby, requested to transcribe and produce to this General Assembly the testimony taken before him at Greenwood mines before the joint legislative committee, and that he will be paid for services a reasonable sum.

Mr. Hays moved to amend said resolution as follows, viz:

Strike out the word "requested," and insert in lieu thereof the word "demanded."

Mr. Feland moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Hays to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Clement, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Clement,	H. T. Kendall,	R. S. Triplett—5.
R. G. Hays,	D. H. Smith,	

Those who voted in the negative, were—

M. C. Alford,	J. D. Harris,	F. D. Rigney,
J. W. Bryan,	S. E. Hill,	J. T. Simon,
R. A. Burnett,	L. M. Martin,	W. H. Taulbee,
A. R. Byers,	J. H. McDanell,	F. T. D. Wallace,
W. J. Caudill,	L. W. McKee,	E. L. Worthington,
John Feland,	W. F. Neat,	J. H. Wilson—19.
G. G. Gilbert,		

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Triplett and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	W. H. Frederick,	F. D. Rigney,
R. A. Burnett,	G. G. Gilbert,	J. T. Simon,
C. M. Clay, Jr.,	J. D. Harris,	D. H. Smith,
F. M. Clement,	L. W. McKee,	F. T. D. Wallace,
John Feland,	J. N. Price,	J. H. Wilson—15.

Those who voted in the negative, were—

M. C. Alford,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	L. M. Martin,	W. H. Taulbee,
W. J. Caudill,	J. H. McDanell,	E. L. Worthington,
R. G. Hays,	W. F. Neat,	R. S. Triplett—13.
S. E. Hill,		

Resolved, That the title of said resolution be as aforesaid.

Mr. Gilbert moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and Simon, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	J. H. McDanell,	D. H. Smith,
W. H. Frederick,	L. W. McKee,	E. L. Worthington,
J. D. Harris,	J. N. Price,	Robert Walker—10.
L. M. Martin,		

Those who voted in the negative, were—

M. C. Alford,	John Feland,	F. D. Rigney,
J. W. Bryan,	G. G. Gilbert,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	W. H. Taulbee,
A. R. Byers,	S. E. Hill,	R. S. Triplett,
W. J. Caudill,	H. T. Kendall,	J. H. Wilson—17.
C. M. Clay, Jr.,	W. F. Neat,	

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Berry, from the Committee on Education—

An act to amend an act, entitled "An act for the benefit of certain common schools districts in Boyle and Mercer counties," approved February 25, 1854, and to provide a trustee for a portion of the Hart fund mentioned therein.

By same—

An act to amend an act, entitled "An act to amend and reform the common school laws of this Commonwealth for the purpose of providing for the monthly payment of the wages of the teachers of the common schools."

By same—

An act to change the name of the South Carrollton Male and Female Institute to the West Kentucky Classical and Normal College, and regulate the course of study for teachers therein.

By same—

An act for the benefit of common school district No. 60, in Lincoln county.

By Mr. Harris, from the Committee on Internal Improvements—

An act to incorporate the Kentucky Rock Oil Company.

By Mr. Alford, from the Committee on Courts of Justice—

An act to provide for a registration of voters in the city of Lexington.

By Mr. Taulbee, from the Committee on Propositions and Grievances—

An act to amend an act, entitled "An act for the benefit of licensed keepers of stud-horses, jacks and bulls of this Commonwealth, so far as the same applies to Warren county."

By Mr. Hill, from the Committee on Courts of Justice—

An act to establish and incorporate a public library in the city of Paducah.

By Mr. Wallace, from the Committee on General Statutes—

An act authorizing the Floyd County Court to issue bonds of said county for the payment of right of way of any railway company.

By Mr. Martin, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to revise and amend the charter of the city of Dayton, Campbell county," approved March 7, 1876.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to amend the charter of the Louisville City Railway Company.

By Mr. Hays, from the Committee on Finance—

An act incorporating the Boys' Home Society, of Louisville.

By Mr. Wallace, from the Committee on General Statutes—

An act to authorize and empower the County Court of Martin county to issue the bonds of said county to pay for the right of way of the Chattaroi Railway Company through said county.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to incorporate the Grayson Springs Railroad Company.

With amendments to the two last-named bills.

Which were adopted.

Ordered, That said bills, the two last as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Finance—

A bill to incorporate the Central Market, of Louisville.

By Mr. Bryan, from the Committee on Banks and Insurance—

A bill to incorporate the Exchange Insurance Company, of Covington, Kentucky.

By Mr. Clay, from the same committee—

A bill incorporating the Owensboro Opera House Company.

By same—

A bill to incorporate the Citizens' Bank, of Owensboro.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Covington Inclined Plane and Narrow Gauge and Elevated Railway Company," approved March 26, 1884.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bryan, from the Committee on Penitentiary and House of Reform, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of the branch Penitentiary, at Eddyville,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the purpose of completing the branch Penitentiary, at Eddyville, now in process of erection according to the plan adopted by the Commissioners and approved by the Governor and Auditor, the further sum of $120,000 or so much thereof as may be necessary is hereby appropriated out of the money collected for that purpose as hereinafter provided for, which amount the Auditor of Public Accounts is directed and required to draw his warrant upon the Treasury for such sums as the said Commissioners may direct during the progress of the said building, not exceeding in the aggregate the said sum herein appropriated.

§ 2. That for the purpose of providing a fund and of which shall be paid the money appropriated by the first section of this act, a tax of three and a half cents on each $100 of property in this Commonwealth subject to taxation for State revenue purposes is hereby levied and imposed to be collected and paid over as other State revenue is by law required to be collected and paid over, and said tax when collected shall be placed to the credit of the branch Penitentiary, at Eddyville, and shall be used in paying the money appropriated by the first section of this act.

§ 3. That the tax imposed by the second section of this act shall only be levied and collected for the year 1886.

§ 4. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. N. Price,
A. S. Berry,	G. G. Gilbert,	F. D. Rigney,
J. W. Bryan,	J. D. Harris,	J. T. Simon,
R. A. Burnett,	R. G. Hays,	D. H. Smith,
A. R. Byers,	S. E. Hill,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
C. M. Clay, Jr.,	L. M. Martin,	R. S. Triplett,
F. M. Clement,	J. H. McDanell,	F. T. D. Wallace,
W. M. Cravens,	L. W. McKee,	E. L. Worthington,
Henry Dixon,	W. F. Neat,	J. H. Wilson—32.
John Feland,	J. W. Ogilvie,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

An act to permit defendants in all penal and criminal prosecutions to testify.

On motion of Mr. Alford,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday next, April 9th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Simon, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act regulating the exemption of personal property from execution, attachment, distress for rent and fee bills in this Commonwealth,

Reported the same without amendment.

On motion of Mr. Simon,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday next, April 8th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Feland, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to provide additional legal remedies for the collection of the interest on the bonds of Providence District, in Webster county, and for the collection of said bonds when due,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Feland,

Ordered, That said bill be placed in the orders of the day.

Mr. Gilbert, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to provide for the payment into the Treasury of property in the hands of Master and other Commissioners, and which has escheated to the Commonwealth,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Gilbert,

Ordered, That said bill be printed and placed in the orders of the day.

Mr. Simon, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend section 10, of chapter 37, of the General Statutes,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Simon,

Ordered, That said bill be printed and placed in the orders of the day.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Hays—

1. A bill to charter the Central Market Place, in Louisville.

On motion of Mr. Feland—

2. A bill giving the consent of the Commonwealth of Kentucky to the acquisition by the Government of the United States of the real property that will be needed for the purpose of building a custom-house in the city of Hopkinsville.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st, and the Committee on Federal Relations the 2d.

The Senate then adjourned.

SATURDAY, APRIL 3, 1886.

The reading of the Journal of yesterday was dispensed with.

The roll call was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to empower the County Court of Pendleton county to make subscription to the capital stock of turnpike roads in said county," approved March 15, 1878.

An act to amend an act, entitled "An act to incorporate the Grand Lodge of the United Brothers of Friendship of the State of Kentucky."

An act to amend the charter of the city of Louisville.

Joint resolution in relation to establishing "Arbor Day."

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Lexington.

An act to amend an act, entitled "An act to establish a system of graded schools in the city of Mt. Sterling," approved April 15, 1884.

With an amendment to the last-named bill.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled "An act to amend the charter of the South Kentucky Railroad Company," approved March 16, 1886, being chapter 290, of Local and Private Acts of the session of 1885–86.

An act to amend title 19, chapter 4, of the Code of Practice in civil cases.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Clay read and laid on the table the following resolution, viz:

Resolved by the Senate, That the rule requiring the call of the Senate and the noting of absentees be hereby rescinded.

Which, under the rule, lies over one day.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Caudill, from the Committee on Education—

An act to establish a system of public graded schools in district No. 47, East Point.

By same—

An act for the benefit of colored common schools of Pike county, and to authorize the Superintendent and Board of Examiners of common schools of Pike county to issue special license to persons to teach colored common schools of said county.

By Mr. Berry, from the same committee—

An act to amend an act, entitled "An act to charter the Eddyville Male and Female Academy, in Lyon county," approved March 5, 1872, and providing for the election of a school board, and for a vote upon a school tax.

By same—

An act to enable and empower the Paducah public school board to sell, lease or alter the University building in said city.

By same—

An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for organizing and establishing a system of public schools in Winchester,'" approved April 24, 1882.

By same—

An act to authorize the trustees of common school district No. 25, in Fleming and Bath counties, to levy and collect a tax for the benefit of the common school property in said district.

By same—

An act to amend an act, entitled "An act to incorporate the Central University."

By same—

An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for organizing and establishing a system of public schools, in Winchester,'" approved May 8, 1884.

By same—

An act to change the boundary line of school district No. 43, in Clark county, so as to include certain farms now in school district No. 51, in said county.

By Mr. Albritton, from the Committee on Agriculture and Manufactures—

An act to incorporate the town of South Louisville, in Jefferson county.

By Mr. Berry, from the Committee on Banks and Insurance—

An act to incorporate the Young Men's Mutual Life Association, of Kentucky.

By Mr. Clay, from the same committee—

An act to incorporate the Mt. Sterling Music College, of the city of Mt. Sterling.

By same—

An act to amend an act, entitled "An act to incorporate the Louisville Abstract and Loan Association."

By Mr. Hill, from the Committee on Courts of Justice—

An act to amend the charter of the town of Ghent.

By Mr. Berry, from the Committee on Education—

An act for the benefit of J. W. Forbes, teacher of common school district No. 61, in Henry county, for years 1883-84.

By same—

An act to repeal an act, entitled "An act to incorporate the Middleburg Seminary, in Casey county," approved April 27, 1879.

By Mr. Burnett, from the Committee on General Statutes—

An act to repeal an act, entitled "An act regulating the pay of the Sheriff of Floyd county."

By Mr. Wallace, from the same committee—

An act for the benefit of G. F. Johnson, Clerk Lawrence County Court, etc.

By same—

An act to allow Jno. B. Spencer, Sheriff of Lawrence county, further time in which to give revenue bond.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Berry, from the Committee on Education—

A bill to amend an act, entitled "An act to provide and maintain public schools in Cloverport, Breckinridge county," approved February 23, 1876.

By Mr. Bryan, from the Committee on the Judiciary—

A bill to amend the charter of the city of Lexington.

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to establish the Grayson County Bank.

By Mr. Burnett, from the Committee on General Statutes—

A bill relating to the Clerks of the General Council of the city of Louisville.

By Mr. Wallace, from the same committee—

A bill to amend an act, entitled "An act to amend and reduce into one the acts incorporating the town of Louisville."

By same—

A bill to amend section 34 of an act, entitled "An act to reduce into one an act and amendatory acts incorporating the city of Ashland."

By Mr. Hill, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to incorporate the Fidelity Trust and Safety Vault Company, of Louisville."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Burnett, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to regulate the sale of lightning rods in this Common wealth,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter any and all persons offering to sell or peddle by samples or otherwise lightning rods within this Commonwealth shall be required to procure from the Auditor of Public Accounts a license so to do, and the annual fee for such license shall be $250, and the Auditor's receipt shall be evidence of such license, and such license shall, when procured and paid for, entitle such person to three salesmen, who shall have power to act and operate under said license, and for every additional salesman a license fee of $80 shall be paid by such person so offering to sell or peddle, and it shall be the duty of such person to procure for and the duty of the Auditor to furnish to each and every such salesman a duplicate of such receipts before either of them shall so sell or offer to sell lightning rods.

§ 2. The license herein provided for shall be in addition to any licenses that are now or that may hereafter be required by any county, city or town.

§ 3. Any person violating the provisions of this act shall, upon conviction, be fined not less than $200 nor more than $500, recoverable in any court of competent jurisdiction.

§ 4. The license herein provided for shall, when so procured, authorize the person so procuring to run and operate one wagon, and for every additional wagon so run and operated by him he shall pay an additional license fee of $250.

§ 6. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and no quorum of the Senate voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Price and Bryan, were as follows, viz :

Those who voted in the affirmative, were—

R. A. Burnett, R. S. Triplett, E. L. Worthington,
J. R. W. Smith, F. T. D. Wallace, J. H Wilson—6.

Those who voted in the negative, were—

R. T. Albritton, F. M. Clement, W. H. Taulbee—4.
A. S. Berry,

Mr. Burnett, from the Committee on General Statutes, reported a bill, entitled

An act to repeal an act, entitled "An act to incorporate the Central Railway Bridge Company," approved March 8, 1884.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Berry moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Berry, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act to amend section 8, article 8, chapter 1330, Public Acts, 1883-84, entitled "An act to amend and reform the school laws of this Commonwealth," so far as the same applies to district No. 64, Lawrence county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to enlarge the boundary of the common school district of the city of Newport, in Campbell county;

An act to amend the charter of the Louisville City Railway Company;

An act to provide for a registration of voters in the city of Lexington;

And enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of common school district No. 37, Boyd county;

An act to incorporate the Sulphur Natural Gas, Fuel, Light and Salt Company, of Sulphur;

An act to authorize the County Judge of Boyd county to collect certain uncollected county revenue due said county;

An act to authorize John M. Patrick, Jeff. Arnett and Levi Patrick to establish and operate a boom across the Middle Fork of Licking river;

An act for the benefit of Lizzie Rutledge, wife of Thomas Rutledge, of Shelby county;

An act for the benefit of David J. Cassity, of the county of Breathitt;

An act for the benefit of M. F. Garred, of Lawrence county, to protect his ferry rights;

An act to amend the charter of the city of Lexington;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill regulating the sale of patent rights and alleged patent rights in this State,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, April 7th, at 11:30 o'clock A. M., and from day to day until disposed of.

Mr. Burnett, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend section 2, article 3, chapter 69, General Statutes,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Burnett, from the Committee on General Statutes, to whom was recommitted a bill, entitled

An act for the maintenance of pauper idiots,

Reported the same with the expression of opinion that said bill ought not to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the several counties of this Commonwealth are hereby required to support and maintain all pauper idiots in their respective counties so found by the verdict of a jury, and it shall be the duty of the Committee of Claims of the several counties to allow to the committee of pauper idiots a sum sufficient for their support not exceeding $75 per year, and may annually levy and have collected a tax on all the taxable property of their respective counties subject to taxation for State revenue purposes sufficient for that purpose, as also for the burial of such pauper idiots.

§ 2. That the Court of Claims of the several counties of the Commonwealth shall allow to the committee, upon the death of such pauper idiot, for burial expenses a sum not exceeding $10.

§ 3. That if a pauper idiot is found to be dangerous by a verdict of a jury in the Circuit Court of the county where such idiot may reside, he shall be sent to the lunatic asylum of the district in which he may live under the same regulation now existing by law as to lunatics at the expense of the State.

§ 4. That all laws in conflict with this act are hereby repealed.

§ 5. This act shall take effect from and after its passage.

The question was then taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Bryan and Gilbert, were as follows, viz:

In the affirmative—E. L. Worthington—1.

Those who voted in the negative, were—

R. T. Albritton,	John Feland,	J. R. W. Smith,
R. A. Burnett,	W. F. Neat,	W. H. Taulbee,
A. R. Byers,	J. W. Ogilvie,	R. S. Triplett,
W. J. Caudill,	J. N. Price,	F. T. D. Wallace,
F. M. Clement,	F. D. Rigney,	J. H. Wilson—16.
W. M. Cravens,		

Leave was granted to bring in the following bills, viz:

On motion of Mr. Hays—

1. A bill repealing so much of the charter of the Crescent Hill Horse Railway Company as lies between Baxter avenue and Payne street, running through Hamilton avenue.

On motion of same—

2. A bill to amend the charter of the Crescent Hill Railway, and to regulate the charges of said company for the transportation of passengers carried thereon.

On motion of Mr. Bryan—

3. A bill, entitled "An act to incorporate the Kentucky Water-gas Light and Fuel Company."

On motion of same—

4. A bill, entitled "An act to amend the charter of the city of Lexington."

Ordered, That the Committee on Courts of Justice prepare

and bring in the 1st; the Committee on Internal Improvements the 2d; the Committee on Banks and Insurance the 3d, and the Committee on the Judiciary the 4th.

Mr. Bryan moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Taulbee and Feland, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	S. E. Hill,	W. F. Neat,
C. M. Clay, Jr.,	L. M. Martin,	J. W. Ogilvie,
Henry Dixon,	L. W. McKee,	J. N. Price—9.

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	R. S. Triplett,
A. S. Berry,	F. D. Rigney,	F. T. D. Wallace,
R. A. Burnett,	J. R. W. Smith,	E. L. Worthington,
A. R. Byers,	W. H. Taulbee,	J. H. Wilson—12.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in bills of the following titles, viz:

A bill for the benefit of H. J. Jones, of Laurel county;

A bill to amend article 14, chapter 28, General Statutes;

Asked to be discharged from the further consideration of said bills.

Which was granted.

Mr. Clay, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of Councils of the National Union, located in Kentucky,

Asked to be discharged from the further consideration of said leave.

Which was granted.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill amending chapter 113 of the General Statutes, title "Wills,"

Asked to be discharged from the further consideration of said leave.

And the question being taken on discharging the committee from the further consideration of said bill, and a quorum of the Senate not voting thereon, the same fell into the orders of the day.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to repeal an act, entitled "An act to incorporate the Kenton County and Campbell County Bridge Company,"

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bryan moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Burnett, from the Committee on General Statutes, to whom was recommitted a bill, entitled

A bill to punish certain offenses by stripes,

Reported the same with an amendment.

Ordered, That said bill and proposed amendment be placed in the orders of the day.

Mr. Burnett, from the Committee on General Statutes, to whom was recommitted a bill, entitled

A bill in relation to the marital rights of husband and wife,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

Mr. Berry moved to reconsider the vote by which said bill was

ordered to a third reading, the opinion of the committee to the contrary notwithstanding,

Which motion was simply entered.

Mr. Burnett, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill requiring the County Courts to establish a north and south line in each county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. J. R. W. Smith,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, April 7th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

Mr. Wallace moved to amend said bill as follows, viz:

Amend by inserting, after "County Surveyor," "or any Surveyor acting under order of court."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the County Judge of the several counties of this State be, and they are hereby, directed and authorized to cause to be established a true north and south line at the county seat of each county; said line to be made or fixed by stones set in the ground.

§ 2. Every County Surveyor or any Surveyor acting under order of court of said several counties shall be obliged to test his compass by this true north and south line at least once in each year, and have the variation of said compass recorded by the County Clerk of his said county, and no County Surveyor shall be entitled to recover his fees for work done until he has complied with the provisions of this law.

§ 3. After the erection or establishment of said true north and south line, all surveys thereafter made shall be recorded with the true course instead of the magnetic course, and the variation shall also be recorded.

§ 5. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Burnett, from the Committee on General Statutes, reported a bill, entitled

A bill to amend section 1, article 6, chapter 62, of the General Statutes.

Mr. Wallace, from the same committee, reported a bill, entitled

A bill to amend an act, entitled "An act to amend article 3, chapter 5, of the General Statutes, title "Attorneys," and to extend and enlarge the duties of County Attorneys thereunder."

Mr. Wilson, from the same committee, reported a bill, entitled

A bill providing for refunding fees paid to the Register of the Land Office, but for which the services have not been and can not be rendered.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be placed in the orders of the day.

Mr. Burnett, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend chapter 53, of the General Statutes, title "Idiots and Lunatics,"

Reported the same with the expression of opinion that said bill ought not to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 2, of article 2, of chapter 53, of General Statutes, be amended by striking out the words "seventy-five" and inserting the words "thirty-five," instead thereof.

§ 2. That section 3, of article 2, of chapter 53, General Statutes, be repealed.

§ 3. That no person under ten years of age shall be adjudged a pauper idiot.

§ 4. That the County Court, sitting as a Court of Claims, a majority of the Justices of the Peace in commission being present and voting, may allow any person who has been found in the Circuit Court to be a pauper idiot, any sum in their discretion, which sum shall be paid by the county as other claims by said Court allowed are paid: *Provided*, The names of the Justices of the Peace voting for and against said allowance shall be entered of record.

§ 5. In addition to the oath required by section 7, of said article 2, chapter 53, the jury shall be sworn, and in their verdict say what is the age of each parent; what number of children living with the parents; what number over twelve and under twenty-one years of age; are the father and mother, or any of the children over twelve and under twenty-one years of age, capable of manual labor; what is the labor of the parents worth over and above the support of the children under twelve years of age; what is the labor of each child over the age of twelve years and under twenty-one years worth over and above his support; are any of the children over twelve years of age hired out; if so, what is the reasonable value of such child's service; what is the profession or calling of the parents; what income, if any, have the parents or person under trial from any source.

§ 6. If from the verdict of the jury it shall appear to the judge presiding at the trial that the labor of the parents and children over twelve years of age, considered in connection with the estate and property of the parents and person on trial, exceeds thirty-five dollars per year after supporting the parents and the children living with the parents, then the court trying the case shall not make any order of allowance.

§ 7. The committee of the pauper idiot shall, at each term of the court, file a written statement of the way and for what purpose the allowance made by Circuit Court and County Court has been expended; he shall state in said affidavit, if any one except the pauper idiot has received the benefit of the allowance made by either court; if it appears from the affidavit that any one has received the benefit of the allowance made by either court, then there shall be no order of allowance made in the Circuit Court.

§ 8. The Judge of the County Court shall file a certified list of the names of the pauper idiots to whom an allowance has been made by the County Court and the amount of allowance; this list to be filed with the Clerk of the Circuit Court on the first day of each term.

§ 9. No allowance shall be made to any pauper idiot by the Circuit Court, payable out of the State Treasury, unless an

allowance to the same pauper idiot has been made by the County Court, nor shall the allowance made by the Circuit Court exceed in amount the allowance made by the County Court, nor shall the allowance by the Circuit Court in any case exceed thirty-five dollars.

§ 10. If from the verdict of the jury it appear that the person under trial can by labor support himself or herself in part, and that the labor of said person is worth thirty-five dollars per year, then no allowance shall be made by the court for said person.

§ 11. This act shall take effect from its passage.

The question was then taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

Henry Dixon,	L. M. Martin,	E. L. Worthington,
G. G. Gilbert,	L. W. McKee,	J. R. W. Smith—7.
S. E. Hill,		

Those who voted in the negative, were—

R. T. Albritton,	W. M. Cravens,	F. D. Rigney,
J. W. Bryan,	John Feland,	W. H. Taulbee,
R. A. Burnett,	W. F. Neat,	R. S. Triplett,
A. R. Byers,	J. W. Ogilvie,	F. T. D. Wallace,
W. J. Caudill,	J. N. Price,	J. H. Wilson—16.
F. M. Clement,		

So said bill was disagreed to.

Mr. Bryan moved to reconsider the vote by which the Senate refused to order said bill to a third reading, the opinion of the committee to the contrary notwithstanding.

Mr. Wilson moved to lay said motion on the table.

Mr. Martin moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	S. E. Hill,	E. L. Worthington,
Henry Dixon,	L. M. Martin,	J. N. Price—8.
G. G. Gilbert,	L. W. McKee,	

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	F. D. Rigney,
A. S. Berry,	W. M. Cravens,	J. R. W. Smith,
R. A. Burnett,	John Feland,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. W. Ogilvie,	J. H. Wilson—16.
C. M. Clay, Jr.,		

The question was then taken on the motion made by Mr. Wilson to lay on the table the motion made by Mr. Bryan to reconsider the vote by which the Senate had refused to order said bill to a third reading, the opinion of the committee to the contrary notwithstanding, and a quorum of the Senate not voting on said motion, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Gilbert and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	F. M. Clement,	J. R. W. Smith,
A. S. Berry,	W. M. Cravens,	W. H. Taulbee,
R. A. Burnett,	John Feland,	R. S. Triplett,
A. R. Byers,	W. F. Neat,	F. T. D. Wallace,
W. J. Caudill,	J. N. Price,	J. H. Wilson—17.
C. M. Clay, Jr.,	F. D. Rigney,	

In the negative—none.

And then the Senate adjourned until Monday next, at 11 o'clock A. M.

MONDAY, APRIL 5, 1886.

The reading of the Journal of Saturday was dispensed with.

The roll call was dispensed with.

A message was received from the House of Representatives announcing that they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to provide for the organizing and supervising of common schools in the town of Pikeville and vicinity, in Pike county.

An act to incorporate the Grayson Springs Railroad Company.

That they had passed a bill which originated in the Senate, entitled

An act to authorize the city council of Stanford to issue bonds to pay off the outstanding indebtedness of the city of Stanford, and to provide street lamps for the city.

The Senate took up for consideration a resolution heretofore proposed by Mr. Clay, entitled

Resolution rescinding the rule of the Senate requiring the call of the roll and noting of absentees.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

Mr. Hays moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the town of South Louisville, in Jefferson county.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Hays,

Ordered, That said bill be recommitted to the Committee on Agriculture and Manufactures.

On motion of Mr. McKee,

Ordered, That the following bill be printed, viz:

An act regulating the sale of patent rights and alleged patent rights in this State.

Mr. Taulbee, from the Committee on Federal Relations, to whom was referred a resolution which originated in the House of Representatives, entitled

Resolution asking our Representatives in Congress to use their influence in aid of the passage of a bill pending in Congress to establish a system of signal service throughout the United States,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Burnett, from the Committee on General Statutes—

An act to repeal so much of an act for the benefit of certain County Clerks of this Commonwealth as applies to Logan county.

By Mr. McKee, from the same committee—

An act to incorporate the town of Van Buren, in Anderson county.

By same—

An act to amend an act, entitled "An act to incorporate the town of Camdensville, in Anderson county, and to change the name of said town from Camdensville to Orr."

By same—

An act to incorporate the town of Dowling, in Anderson county.

By Mr. Kendall, from the same committee—

An act authorizing the County Court of Meade county to issue bonds to pay the indebtedness of said county, and to repeal an act, entitled "An act authorizing the County Levy Court of Meade county to levy an additional ad valorem tax," approved January 25, 1886, and to repeal an act, entitled "An act authorizing the County Court of Meade county to issue

bonds to pay the indebtedness of said county," approved January 14, 1886.

By same—

An act to authorize the Bullitt County Levy Court to issue county bonds for the purpose of constructing certain turnpike roads, in said county, and to levy a tax to pay off said bonds and interest thereon.

By same—

An act to grant the consent of the State of Kentucky to the acquisition by the United States of lands within the city of Owensboro, for the purpose of erecting public buildings, and ceding to the United States jurisdiction over the same.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to amend the charter of the Chesapeake and Nashville Railway Company.

By same—

An act authorizing the Chicago, St. Louis and New Orleans Railroad Company to build a branch railroad.

By Mr. Taulbee, from the Committee on Propositions and Grievances.

An act changing the county line between the counties of Morgan, Menifee and Breathitt.

By Mr. Triplett, from the Committee on Finance—

An act to authorize the Daviess County Court to levy an ad valorem tax for ordinary purposes.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to amend an act, entitled "An act to prevent the selling, giving or loaning spirituous, malt or vinous liquors within the town of Allensville, or within three miles of the corporate limits thereof, in Todd county."

By same—

An act authorizing the trustees of the M. E. Church, in Vanceburg, Kentucky, to convey lot 48 in said city to T. M. Gaines, S. Rugless, B. W. Parker and S. B. Piercel.

By same—

An act to re-instate an act, No. 256, of the General Assembly of the Commonwealth of Kentucky, approved February 28,

1876, entitled "An act to prohibit the sale of spirituous, malt and vinous liquors in Glasgow, and within one mile from the outside boundary thereof, and to repeal all acts in conflict with said act."

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors at or within one mile of Pinkard school-house, in Woodford county.

By same—

An act to incorporate the congregation of the Presbyterian Church at Burksville, Cumberland county, and to exempt the same from taxation.

By Mr. Clement, from the Committee on Privileges and Elections—

An act creating an additional voting place, in Breckinridge county.

By Mr. Taulbee, from the same committee—

An act to incorporate the Board of Trustees for disabled Protestant Episcopal Clergy, and for widows and orphans of deceased Protestant Episcopal Clergymen, of the Diocese of Kentucky.

By same—

An act to prohibit the sale, loan, barter or traffic in spirituous, vinous or malt liquors, in the county of Todd, and to submit the question to the people.

By Mr. Worthington, from the same committee—

An act to prohibit the sale of spirituous, vinous or malt liquors at Mount Herman Church, in Todd county, or within two miles thereof.

By same—

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in the town of Elkton, Todd county, and within one mile of the corporate limits thereof," passed March 6, 1882.

By Mr. McKee, from the Committee on Military Affairs—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to repeal an act, entitled "An act to amend the charter and amendment thereto of the Deposit Bank of Glasgow," approved January 29, 1874, and to repeal an act, entitled "An act to amend the several acts incorporating the Deposit Bank of Glasgow," approved January 31, 1882.

By Mr. Hays, from the Committee on Finance—

An act fixing the times for holding the McLean County Courts.

By same—

An act to amend an act, entitled "An act to incorporate the Knights of Honor Temple Company, at Louisville," approved February 20, 1884.

By same—

An act to amend an act, entitled "An act to provide for the assessment and collection of a tax upon distilled spirits," approved April 21, 1882.

By same—

An act to incorporate the Fireman's Benevolent Association, of Louisville.

By same—

An act to exempt Yellow creek, in Hancock county, from the provisions of sections 2 and 3 of the fish law, approved March 20, 1876.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. McKee, from the Committee on General Statutes—

A bill to incorporate Capital City Lodge, No. 1,597, G. U. O. O. F.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to incorporate the Ohio, Kentucky and Virginia Railway Company.

By Mr. Dixon, from the Committee on Propositions and Grievances—

A bill to amend an act, entitled "An act to incorporate the Walton and Frazee Turnpike Road Company, in Mason county," approved March 7, 1868.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Taulbee, from the Committee on Federal Relations, to whom was referred a bill from the House of Representatives, entitled

An act to authorize County Courts to appoint special administrators for the collection and distribution of French and Spanish spoliation claims,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

Mr. Taulbee moved the following resolution, viz:

WHEREAS, It satisfactorily appears to this Senate that James Hammons, a veteran of the war with Mexico, has been granted a pension by the Commissioner of Pensions of the United States for disability incurred in said war, which pension was allowed only from the date said claim was allowed, instead of from the time the disability was incurred; and whereas, we are satisfied that said Hammons is an honest man, and that his claim is just; therefore, be it

Resolved by the Senate of Kentucky, That our Senators and Representatives in Congress be urged to aid in the passage of an act to grant to said Hammons a pension from the time his said disability was incurred.

Which resolution was twice read, and adopted.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act incorporating the Madisonville, Providence and Clayville Railway Company;

An act to incorporate the Paducah and Fort Jefferson Railroad Company;

An act to amend the charter of the Columbus and Tennessee River Railway Company;

Reported the same with the expression of opinion that said bills ought not to pass.

Ordered, That said bills be placed in the orders of the day.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, April 5, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

W. V. Weldon, Bracken county.
John A. Pope, Jefferson county.
Bennet H. Young, Jefferson county.
J. T. Slade, Fayette county.
John W. Yerkes, Boyle county.
W. H. Jacobs, Jefferson county.
F. W. French, Fulton county.
P. A. Cline, Pike county.
J. T. Ford, Floyd county.
Thomas B. Sinclair, Ohio county.
T. Grant Slaughter, Jefferson county.
J. A. Demaree, Jefferson county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend and reform the common school laws of this Commonwealth for the purpose of providing for the monthly payment of the wages of teachers of the common schools;"

An act to authorize and empower the County Court of Johnson county to issue the bonds of said county to pay for the right of way of any railway company through said county;

An act to incorporate the Grayson Springs Railroad Company;

An act incorporating the Boys' Home Society, of Louisville;

An act authorizing the Floyd County Court to issue bonds of said county for the payment of right of way of any railway company;

An act to establish and incorporate a public library in the city of Paducah;

An act to amend an act, entitled "An act to amend the charter of the South Kentucky Railroad Company," approved March 16, 1886, being chapter 290 of the Local and Private Acts of the session of 1885–6;

And an enrolled bill and resolution which originated in the Senate, of the following titles, viz:

An act to provide for the re-organization, maintenance and supervision of common schools in the town of Louisa and vicinity;

Resolution raising a joint committee to investigate the expenditure of moneys for the Institution for the Education of the Blind;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Neat reported that the committee had performed that duty.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred bills from the House of Representatives, of the following titles, viz:

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An act to incorporate the Paducah and Fort Jefferson Railroad Company;

An act to amend the charter of the Columbus and Tennessee River Railway Company;

Reported the same with the expression of opinion that said bills ought not to pass.

Ordered, That said bills be placed in the orders of the day.

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After a short time Mr. Neat reported that the committee had performed that duty.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Louisville and Great Western Railway Company;"

An act to amend the charter of the Short Route Railway Transfer Company;

Reported the same with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Clarksville and Princeton Railroad Company," approved April 15, 1880,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

Mr. Dixon, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of John W. McIlvain,

Reported the same with an amendment.

On motion of Mr. Alford,

Ordered, That said bill and proposed amendment be recommitted to the Committee on Courts of Justice.

Mr. J. R. W. Smith, from the Committee on Charitable Institutions, to whom was recommitted a bill from the House of Representatives, entitled

An act to legalize the action of the Board of Commissioners of the Asylum for the Tuition of the Deaf and Dumb, at Danville,

Reported the same without amendment.

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day

for Wednesday, April 7th, at 11:30 o'clock A. M., and from day to day until disposed of.

Mr. Hays, from the Committee on Finance, to whom was recommitted a bill from the House of Representatives, entitled

An act to amend section 3, of article 2, chapter 61, General Statutes.

Reported the same without amendment.

On motion of Mr. Taulbee,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday, April 13th, at 11 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration a resolution heretofore proposed by Mr. Clay.

Said resolution reads as follows, viz:

Resolved, That when the previous question is ordered by the Senate, it shall not operate to cut off any amendment offered and read to the Senate before the vote shall be taken on ordering the same.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Citizens' Street Railway Company.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration the motion heretofore entered by Mr. Cravens to reconsider the vote by which the Senate had passed a bill, entitled

An act to abolish the building known as the "Back Capitol," declaring same a nuisance.

Mr. McKee moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to regulate the sale of lightning-rods in this Commonwealth.

And the question being taken on the passage of said bill, it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, entitled

An act to punish certain offenses by stripes.

On motion of Mr. Alford,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, April 14th, at 11 o'clock A. M., and from day to day until disposed of.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Clay—

1. A bill for the benefit of the administrator of B. F. Pullen, deceased, ex-Sheriff of Bourbon county.

On motion of Mr. Burnett—

2. A bill to amend the charter of the town of Montgomery, in Trigg county.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, and the Committee on General Statutes the 2d.

On motion of Mr. Hays, the Senate then adjourned.

TUESDAY, APRIL 6, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed a bill which originated in the Senate, entitled

An act to prohibit the sale, barter and traffic in spirituous, vinous and malt liquors in Christian county.

That they had passed bills and adopted a resolution of the following titles, viz:

1. An act to establish a Board of Commissioners for Floyd county, and to define their duties and the duties of other county officers whose duties are connected with the duties of said Commissioners.

2. An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870.

3. An act to amend chapter 105, General Statutes, title "Surveyors."

4. An act to amend an act, entitled "An act to provide for liens for labor men and supply men," approved March 20, 1876.

5. An act to amend an act, entitled "An act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 8, 1880.

6. An act to amend an act, entitled "An act to amend and reduce into one all the acts relating to the town of Belle Point, in Franklin county," approved April 4, 1884.

7. Resolution in regard to the death of John Smith Barlow, of Barren county.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the 2d to the Committee on Banks and Insurance; the 3d to the Committee on General Statutes; the 4th to the Committee on the Judiciary; the 5th to the Committee on Penitentiary and House of Reform; the 6th to the Committee on Military Affairs; the 7th to the Committee on Religion and Morals,

And the first-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Charitable Institutions—

A bill for the benefit of the John N. Norton Memorial Infirmary.

By Mr. Burnett, from the Committee on General Statutes—

A bill to amend the charter of the town of Montgomery, in Trigg county.

By Mr. McKee, from the Committee on Military Affairs—

A bill to incorporate the Cheese Lick, Dugansville and Barrett Town Turnpike Road Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to repeal section 7 of an act, entitled "An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of Kentucky," approved February 11, 1873.

An act providing for the adoption and use of trade-marks for timber dealers, and to regulate the fees for taking up floating timber, staves, railroad ties, etc., and prescribing the manner of collecting the same on the Big Sandy and Ohio rivers.

An act to incorporate the Ohio Valley Telephone Company.

An act for the benefit of M. F. Garred, of Lawrence county, to protect his ferry rights.

An act to repeal an act requiring certain legal advertisements in Pendleton county to be inserted in any paper in general circulation published in Pendleton county, approved April 24, 1880.

An act to authorize the trustees of common school district No. 2, in the county of Lee, to sell the school-house and site, and invest the proceeds in other school property for the use of said district.

An act to incorporate the Cynthiana Library.

An act to amend an act, entitled "An act to establish the boundary line between school district No. 80, in Lawrence county, and No. 26, in Boyd county."

An act to amend an act, entitled "An act to incorporate the Harrison Female College," approved January 24, 1880.

An act to amend the charter of the city of Lexington.

An act for the benefit of common school district No. 7, Boyd county.

An act for the benefit of common school district No. 37, Boyd county.

An act to amend an act, entitled "An act to regulate proceedings in the Henderson Circuit Court," approved May 4, 1884, and to extend the January term of said court.

An act to authorize the County Judge of Boyd county to collect certain uncollected county revenue due said county.

An act for the benefit of David J. Cassity, of the county of Breathitt.

An act to authorize John M. Patrick, Jeff. Arnett and Levi Patrick to establish and operate a boom across the Middle Fork of Licking river.

On motion of Mr. Price,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to regulate the sale of lightning-rods in this Common wealth.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Price moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Sparks moved to reconsider the vote by which the Senate had recommitted to the Committee on Courts of Justice a bill from the House of Representatives, entitled

An act for the benefit of John W. McIlvain.

And the question being taken thereon, it was decided in the affirmative.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the county line between the counties of Woodford and Fayette be, and it is hereby, changed so as to include in the limits of Woodford county the residence of John W. McIlvain, now in Fayette county.

§ 2. This act shall take effect and be in force from and after its passage.

The question was then taken on the adoption of the amendment heretofore proposed by the Committee on Propositions and Grievances to said bill, and it was decided in the affirmative.

Said amendment reads as follows, viz:

Amend so that the title to the act shall be as follows:

An act to change a portion of the line between the counties of Woodford and Fayette, so that the residence of John W. McIlvain shall be included in Woodford county.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to change a portion of the line between the counties of Woodford and Fayette, so that the residence of John W. McIlvain shall be included in Woodford county.

Mr. Sparks moved to reconsider the vote by which the Senate had passed said bill.

Mr. Frederick moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alford and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	F. D. Rigney,
J. W. Bryan,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	W. H. Taulbee,
W. H. Frederick,	W. F. Neat,	R. S. Triplett,
J. D. Harris,	J. N. Price,	F. T. D. Wallace—15.

Those who voted in the negative, were—

M. C. Alford,	G. G. Gilbert,	E. L. Worthington,
R. A. Burnett,	H. T. Kendall,	J. W. Ogilvie—8.
F. M. Clement,	L. W. McKee,	

Mr. J. R. W. Smith presented a communication from the Mason & Foard Company.

Said communication was taken up and read as follows, viz:

FRANKFORT, April 2, 1886.

To the General Assembly of Kentucky:

The members of the Mason & Foard Co. respectfully but very earnestly protest against the consideration of the report of your committee, lately appointed to investigate the treatment of the convicts, and they ask at your hands a re-reference, that they may be heard.

It is not questioned that it is the right of the General Assembly, as well as its duty, to investigate in such matters; but we respectfully urge, that where character and reputation are involved, in addition to material contract rights, something of the same safeguards should be adopted and observed in such an investigation as are allowed by the law of the land to every citizen or stranger who may be called to answer the most trivial civil suit.

NO NOTICE.

It is not our desire to impugn the conduct of the investigation so far as it has been conducted; but we believe it to be unfinished, and insufficient to furnish the facts necessary to determine the grave questions involved, and we present to your honorable body these facts:

Upon the appointment of your committee we were informed by its chairman that we would be notified when the committee

would proceed. More than a month elapsed without any action; then, after the demonstration at Greenwood, your committee took its departure without notice to us; and the fact that it had proceeded was only known to us because of the circumstance that one of our members was casually at the depot, and there met a member of the committee, who informed him that they were going, but could not say whether they would go to Greenwood or Jellico.

We followed on the next train, and endeavored to overtake the committee at Lexington, but owing to a wreck on the railroad, were unable to join them. Your committee began the taking of testimony in our absence, and we were, during all the time, without counsel.

THE ANIMUS.

We transmit to you herewith, for what it may be worth, a newspaper extract, purporting to indicate the animus which inspired the course of the investigation, and while we do not assert the correctness of this publication, we do show to you that the convicts selected for examination were, in no instance, the docile or trusty or well-behaved, but were generally the troublesome elements at either camp, and during their examination, your committee, against our protest, excluded the Warden, the State Inspector, and the only member of our company who had knowledge of the facts involved.

NO DEFENSE ALLOWED.

We were informed by the committee that we would be permitted to introduce at Frankfort such testimony as we desired, but, after the return of the committee, they indicated no desire to hear from us, except that they transmitted to one of our members four questions (reported from the committee) not bearing upon the grave question of inhumanity to the convicts.

It was thereupon represented to the committee that we desired to take the testimony in full of that member of our company and of others, but the committee then and always since refused to as they termed it -- re-open the case, though they accorded to us the privilege of presenting such unsworn

statements of our own as we might choose to prepare, and the chairman, on March 26th, consented that we might be sworn to them if we desired; but they always refused to admit any testimony, documentary or otherwise, except our own statements.

We presented before them that day the written records of the Penitentiary to establish by the precedents that the punishments inflicted at the camps were the very reverse of being in excess of those inflicted by the Commonwealth itself within the walls on the refractory of this difficult class; but we were refused this right, although one object in the postponement of our testimony from the mines to Frankfort was, that we might produce those records.

We asked of your committee the privilege of examining the testimony already taken, and of being heard by counsel, but were told that the report was already in course of preparation, and would be made without the testimony to assist you in determining the correctness of their conclusions, and that they considered that there had been no obligation on them to reduce the testimony to writing at all.

We were told that the report would be expedited, because the State was subjected to an expense of from $150 to $200 per day in maintaining the military, and that another reason for haste was, that there was a local demand for the removal of the convicts.

These were the reasons assigned why we should have no time for rebuttal, or for a hearing such as is the common right of every man.

On Thursday, March 25th, we asked for only the two days of that week to present our case, and were informed that we would get an answer in the morning; and in the morning at 10 o'clock we were told that we might prepare our case by 1 P. M.; but your committee did afterward consent that they would postpone their report until the next morning, and might then again consider the question of hearing us.

On the next day (March 27th), three committeemen present, the entire session was consumed in discussing whether we should be allowed a hearing, and the result was that less than a quorum reluctantly consented that we might present a written

statement of what facts we desired to prove, and by whom we expected to prove them; but this was confined to the facts concerning the Jellico mine.

On Monday, March 29th, we were told by a committeeman that the chairman was absent, and that no action would be taken until next day. Then, on the next day (March 30th), we were finally informed that the committee was determined to report.

Thus, your honorable body can see, we were for five days kept in suspense as to whether we should have a hearing, and were at last denied it.

TESTIMONY MIGHT HAVE SHOWN COMMITTEE'S ERRORS.

During that time, and in those discussions, to illustrate the injustice of some of the findings of your committee, we produced samples of the material used in clothing the convicts, and a convict clothed in it. The result of this is, that the report, as then, obviously, already prepared, is erased and interlined, and even the committee now concede that wool, as well as cotton, was used; but the report is still misleading in that it indicates that the materials were mixed, or that some convicts were clothed in the one material and some in the other.

SOME MANIFEST ERRORS.

We do not understand what your committee mean when, after describing the usual clothing so that it is published that "the committee find no fault with the clothes of the convicts," they assert that we "have failed to furnish suitable and proper clothing;" and it is inconceivable to us why your committee, in describing the under-garments, should specify that they are cotton, yet, when they speak of the outer clothing, which is all wool, they leave you in the dark as to the material.

SHOULD THERE BE CONFINEMENT?

We question whether we ought to wander with your committee abruptly away from this subject to consider the confinement of the convicts on Sundays; but your committee turns to that

point as an inhumanity, though we do not know how, under the existing law, we could do otherwise than keep the men confined when not at work.

If your committee, when they say "closely" confined, mean that the men are confined in anywise differently on Sundays than in the prison, and in the manner approved by the authorities for all non-working hours, we can only say that your committee are not supported by any species of testimony nor by their own observation.

It is not just to impute to us the idea that we have excluded religious teaching or services, or reading matter. That there is little religious service is attributable to the fact that it is very scarce in that vicinity, there being no church within many miles. If you desire us to employ a chaplain, it should be so prescribed in some statute or rule, and the same should relieve us of the responsibility of offending conscience by making selection of the denomination.

We do not understand what your committee mean when they say that the convicts do not have an "opportunity" to wash their hands and faces in the morning; and when they add that they pay little attention to convict testimony unless corroborated—the fact being that every witness questioned, not a convict, testified to the exact contrary of that statement. The testimony already taken is, that it was optional with the convicts to wash their hands and faces in the morning, and that they were compelled to wash in the evening; and the true reason (if we are permitted to show it) why they are not compelled to wash in the morning also is, that the number of punishments would be increased.

THE TASKS.

Another wholly uncorroborated statement of the selected convicts is, that punishments were inflicted for the mere matter of not getting the daily tasks. Every unconvicted witness interrogated says to the contrary.

And still another unaccountable finding of your committee is, that the wages of the Warden depend on the quantity of coal got out. There is absolutely no testimony, either of convicts

or free men, that the Warden is paid otherwise than by fixed monthly wages, or that he had any thing to do with the quantity of coal.

THE MISSING TESTIMONY.

We concur in your committee's regret that the testimony is not returned. It has been published that one member of your committee intimated that the short-hand report might have been withheld at our instance. Our information is, that one member of your committee so offended the stenographer with that insinuation that he declined further association with that committee, but was willing to read his notes to any other committee; and we respectfully ask that your honorable body comply with the general law relating to every notary or examiner, and tender to that officer his proper fees for his labor and get the testimony before you.

We do not know how to discuss the testimony without having it before you. We submit that the proceeding of your committee is unusual, in not furnishing you the proof on which to base your judgment as to whether they are right or wrong. They do not discriminate between what they find from observation and what they find from testimony. For example, when they say that the *entrance* to the mine is a low, flat place, they are probably speaking from personal observation, and we admit that those topographical features exist—though we can not conceive how they could be remedied by us, or how they can affect the convicts more unfavorably than they affected the free men who worked at the same mine before. But when your committee say that the convicts are compelled to work in water several inches deep for days, and some days have to lie down in water, they are certainly speaking from some kind of information alone, for they were never in the mine more than 25 feet. As matter of fact, the only work ever done in water is bailing out the water so that mining can be done—a labor necessarily done by free miners as well as convicts, and for that work we furnished gum boots, whereas free miners cheerfully do the same work without them. There is some testimony (including that of a convicted perjurer) that the tasks are large, but the clear preponderance of the proof is the other way; and there is no

contrariety of the testimony that the average output of free miners is greater than any task assigned. In this connection we wish to say that not one witness other than a convict has testified that tasks were increased because the men had come up to them. It seems that the very system of rewards adopted by us to avoid punishments is used against us.

VERMIN.

For example again, your committee say that some, if not all the beds and blankets, are infested with vermin; but they do not say whether they saw this or depended on testimony. If any member of your committee will say that he saw vermin anywhere, we are compelled to concede credence to his statement; but if no committeeman can so state, then we say that they are relying on the unsupported testimony of some of the convicts. We admit, however, that vermin have been brought into the camp at times by newly arrived convicts, but have been eradicated as rapidly as possible; and in truth, we assert that the vermin referred to can not exist among miners powdered with the dust of the mines, and that the only testimony taken on that point sustains this assertion.

A BILL OF ATTAINDER.

When your committee say that the prison at Greenwood is badly ventilated, we do not know whether they speak from the testimony or their own observation; but, in either event, they are erecting a new standard of their own, the breathing space being twice that at the Penitentiary in Frankfort, and the medical testimony being that it is positively good.

It may be true, as stated by one of your committeemen to us, that two wrongs do not make one right, and that maltreatment at the prison or at other prisons does not justify maltreatment at the mining camps. Indeed, we concede that this is true; but, under our system, every man should be entitled to a standard or criterion for his conduct, established by statute or immemorial usage, in advance of any impeachment of it; and it is practically a bill of attainder to accuse us of following the

standards, and thereby unwittingly violating the unwritten tenets of humanity, existing only in the minds of your committee.

POSITIVELY AN IMPROVEMENT.

Do not understand us, however, as claiming only that we have followed the standards; we have improved upon them. We have doubled the breathing space; we have improved the fare; we have decreased the punishment—and the suspension of the two men by the wrists (referred to by your committee) was an experiment adopted from an account of the system at Sing Sing, in order that we might dispense with whipping if possible. Those experiments were not reported as punishments, because the men ridiculed it; and this is the only failure to report punishment to justify your committee in the assertion that they think the register of punishment has been incorrectly kept.

We submit to your honorable body that if you can devise a system of punishments for convicts, other than corporal, whether to apply to our management *ex post facto*, or to relate to the future discipline of the men, you will have solved a problem never before solved.

It is palpable that the ordinary penalties of fine and imprisonment will not answer as in the case of free men; and we beg you to remember that convicts are widely different from free men as to their character and as to any incentive that can be offered them to do their duty.

To instance once more: One of the undeniable truths in the report of your committee is, that men were punished for talking after going to bed. Can not your committee appreciate that if conversation were allowed after taps, there could be no practical limit to it, and the din could be, and has been, utilized to cover escapes?

PLOTS AND THEFTS.

It is a fact that the most serious plots have always been essayed under cover of just such confusion. There are not less than fifty instances of this kind. Furthermore, we ask of you whether your committee might not have reported mis-

management if we had permitted men to disturb the sleep of all others by talking at night.

It is true, also, that men have been punished for stealing bread. So are free men. But while free men sometimes steal bread because they need it, such was never the case with any of your convicts. In every instance the bread was stolen from his own supply, which was never stinted at any meal in the prison, every man being allowed to call for food as long as he chose to eat. If the food of any convict carried into the mine was insufficient, it was only because he did not ask for more or make any complaint. Those thefts were committed from propensity to steal, from wanton waste, from a disposition to prescribe their own bill of fare, from any thing but need. Some convicts have testified to the contrary, but they are flatly contradicted by a greater number of convicts, and by all the free testimony on the point.

THE THREE PUNISHMENTS.

The three specifications of cruel punishment at Greenwood which your committee consider all that are necessary to cite, may be worth considering. The first of these is Henry Solomon. The proof shows that he had been in the Ohio Penitentiary; that he was a constitutional malingerer or "old soldier;" that he taunted the Warden to knock him down; and that he immediately went to work and did more work than ever before, and there was no sort of injurious effect on him afterward. Your committee say that his head was cut and bleeding, but they do not say that it was seriously cut or bleeding profusely, though we can harbor no doubt that your committee, as in duty bound, would have so reported to you if it had been so. Nor can we doubt that, though clubbings are of daily occurrence by officers in every city who deal with the criminal classes, this is the solitary instance of the employment of a stick of any kind by our agents, since your committee has not suggested any other.

The next instance is of Allensworth. His own testimony is, that what your committee term "talking with another convict," was, in fact, a long continued plot with several others to escape.

There is almost invariably murder of the guards contemplated in such conspiracies, and they are universally deemed of the highest grade of offenses by convicts. The severe whipping by the Warden consisted (as we remember in the absence of the testimony) of eight lashes, to which Mr. King added (as we remember) five more. This latter was only the conclusion of the punishment, and when your committee say "he was called up and whipped again the same night," they can only mean that he lay down for five minutes, and was required then to rise and take the rest of his punishment, such being his own testimony. The result of this punishment was, that the entire plot was developed, inclusive of a number of accumulated razors and other weapons.

The third and last of these is Wm. Combs. Your committee report only that he was excused from labor by the physician on account of a severe whipping. His own testimony is, that he was sick, but not sick from whipping; that he had been hurt by being thrown by a mule before he came—a fact which the physician did not know, and which he says would have changed his opinion if he had known it.

The man Keiger, who is reported to have been knocked down in the Jellico mine, and whose is the only case specified as to that mine, testifies that he was knocked down by a free miner.

THE FOOD.

We submit to you that your committee has found that the food was insufficient upon convict testimony alone, and with the preponderance of even that testimony the other way. It is hard to reconcile your committee's report that the food may have been "wholesome enough" with their charge that an ample supply of vegetable diet was not furnished. It was our impression that vegetables were essential to a wholesome diet, and that scurvy was an invariable sequence of a deficiency of it. Many free laborers, not to mention soldiers and sailors, have been affected with scurvy, yet there is no pretense of a trace of its existence at either camp.

The vegetables supplied were potatoes, beans, onions, turnips, hominy and stewed apples; but whether these, or any of them,

were supplied often enough or in quantity enough, is a question of taste on which your committee is sustained by no testimony, either medical or otherwise, convict or free.

As to coarseness or delicacy of the fare, or as to the style of the cuisine, we desire to say nothing; but we are unable to understand how food can be "wholesome" when "badly cooked."

We are equally at a loss to understand how the meat can be wholesome enough when "frozen;" but as to whether it ever was frozen, depends solely on that class of testimony which your committee reports to you as not to be depended on without corroboration.

Your committee say that the coffee was "sometimes" without sugar. The testimony is that this has happened twice only; that it was because of the mere accident that the clerk with the key was absent. As matter of fact, the supplies of our own employes and of ourselves when at the mine, are drawn from the same barrel as those of the convicts.

We are willing to go on record as asserting that the fare furnished at these mines is at least equal, in quantity, quality and preparation, to the fare furnished at any convict camp in the civilized world.

THE QUARTERS.

In their report your committee say that the breakfast at Greenwood is in "a shed room with dirt floor." It is true that the room is a shed room; that is to say, the roof slants down from one side instead of having a comb; and the floor is of earth and coal slack, forming a warm and substantial concrete. What more does your honorable body ask for the dining-room of convicts?

It is charged also that the wash-room is a shed room; and this, too, is a correct criticism on the architecture. It is also true that, speaking very literally, it is "without stoves," there being one stove in it, and no more than one; but the room is small, being, as your committee say, "very much crowded," so that the men have to wait their turn to wash, in like manner with messmates elsewhere in the world. You will observe that

your committee do not say the room is cold, though you might possibly infer so from their report that it is "open."

Upon that point, *i. e.*, the openness of the room, there is no testimony, and your committee could not have depended on their inspection, the fact being that the room is of frame, properly stripped, and not otherwise "open" than that it has doors and windows in like manner with rooms in general.

May we add that there is both hot and cold water in this room, something which never was at the Frankfort Penitentiary, and is at the command of very few who have committed no crime.

THE EXPOSURE.

Your committee has reported that the clothing was insufficient (evidently written while the impression was on them that the clothing was cotton, and overlooked in their correction on that point), and they think that the convicts "must have" suffered intensely; but no witness says so, and it is difficult to see how a man *can* suffer intensely in going 150 yards from a house to a mine of the temperature of 55 degrees. The outside men were furnished with overcoats—a fact which your committee has ignored.

It is the fact that no man was ever frosted, except that one man came frosted to the Kensee mine, and two or three were slightly frosted at Greenwood in the severe weather; but our own Superintendent was frosted at the same time—a casualty not at all unusual with free men of every grade of life in extreme weather.

WHO SHALL BE BELIEVED?

When your committee find that "as to the punishment inflicted, there seems to have been no rule nor restriction fixed by any one," we fancy that they must have written this part also of their report prematurely, and overlooked it in their corrections, as they afterward say that Gen. Hewitt told them those rules had been furnished.

But the report that they were unable to learn much of the punishments at Kensee, "because of the loss of the register," is past explanation by us. The fact as known to them is, that

the lost book was a mere memorandum, and that the official register is at Frankfort, where your committee declined to allow its production.

A DISCLAIMER.

Messrs. Foard and Dandridge, of our company, ask leave to repudiate so much of the report as appears to be designed to exonerate them, leaving an imputation on their associates, some of whom were never at either of the mines. The Mason & Foard Company, and every member of it, is responsible if wrong has been done. Their employes are responsible to them just as they in turn are responsible to the Commissioners, and if outrages have in fact been perpetrated, the blame should not be shifted to our subordinates. The conduct of the prisons has always been under the supervision of the State's agents, and these have always appeared before the convicts as their protectors, and have invited complaints; yet we assert, and are ready to prove, that the condition of affairs was always cordially approved, until the remarkable proceedings of your committee in this investigation.

WHY THE REPORT WAS HASTENED.

We say that the report is inconsistent with itself, inconsistent with the testimony returned, and grossly inconsistent with the testimony not furnished you. The report is mild as to the conduct at Kensee, from where the testimony is returned, and severe as to Greenwood from where the testimony is missing, so that we are asked to meet the graver charges without proof to sustain them, and to pit our own recollection of the testimony against that of members of your own body.

We are willing and anxious to have all our contracts rescinded on equitable terms, and we asked your committee, when it refused to hear us, to wait two days for us to arrange for a release from our contract at Greenwood, as we had already arranged as to Kensee, yet the report was put in the next day.

CONCLUSION.

It is not our desire to antagonize the sentiment of many of the people by working the convicts in the mines; but we protest against the blackening of our characters to obtain their removal, *or for any purpose;* and we insist that never before, in any tribunal of this land, were people tried *ex post facto*, without counsel, without the privilege of rebutting, and without even the testimony for the prosecution.

Respectfully,

MASON & FOARD CO.

[*Somerset Republican, March* 15, 1886.]

This committee is no whitewashing affair. Senator Burnett said that he was going to make a thorough investigation, and we believe it will be done. No one was examined Saturday except State Inspector Craig and Dr. Reddish, the company's physician. Mr. Newman, who conducted the examination, completely bewildered them with his searching inquiries. Both those gentlemen testified that they knew little or nothing about the whipping of the convicts. The books show that in one week of six days forty-seven convicts were lashed. We have not space in this issue to give any extensive notice of the matter, but shall probably get all the testimony for publication Thursday. Some startling developments may be expected. We notice that when the committee visited the stockade, hospital and other places, the prison officials did not permit them to go alone, but three or four of them accompanied the party, and whenever one of the committee went to a convict to talk to him, one of these officials always stepped near. We think it would have looked much better if the officials had not watched the committee so closely. They carried this so far that Representative Newman, who is no respecter of persons when his duty is before him, had to suggest that "they don't crowd the monkey so."

The Mason Foard Co. has made a proposition to the Legislature that they will remove the convicts from Greenwood, and throw up their contract with the State, provided the State will

pay some damages. One of the legislative investigating committee, when he heard of this proposal, remarked in a knowing way that the company might be "persuaded" to remove them even without damages, and that possibly the damages might be on the other side. In our opinion this committee will find a pointer here. Our opinion is that the committee will make an adverse report, and from the evidence we heard, we do not see how it can do otherwise. None but newspaper men were allowed to be present at the examination.

The Senate, according to order, took up for consideration a bill, entitled

A bill regulating the transportation of coal by railroad corporations in this Commonwealth.

On motion of Mr. Martin,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday next, April 8th, at 11 o'clock A. M., and from day to day until disposed of.

On motion of Mr. Rigney,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to incorporate the Middleburg Seminary, in Casey county," approved April 27, 1879.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Rigney moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act regulating the pay of the Sheriff of Floyd county;"

An act for the benefit of common school district No. 60, in Lincoln county;

An act for the benefit of G. F. Johnson, Clerk of Lawrence County Court, etc.;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for organizing and establishing a system of public schools, in Winchester,'" approved May 8, 1884;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for organizing and establishing a system of public schools in Winchester,'" approved April 24, 1882;

An act to amend an act, entitled "An act for the benefit of certain common school districts in Boyle and Mercer counties," approved February 25, 1854, and to provide a trustee for a portion of the Hart fund mentioned therein;

An act to amend the charter of the town of Ghent;

An act, entitled "An act to revise and amend and reduce into one the charter and various amendments relating to the town of South Carrollton, in Muhlenberg county;"

An act to incorporate the Kentucky Rock Oil Company;

An act to amend an act, entitled "An act for the benefit of licensed keepers of stud-horses, jacks and bulls of this Commonwealth," approved February 11, 1876, so far as the same applies to Warren county;

An act for the benefit of the branch Penitentiary, at Eddyville;

An act to empower Logan county to retire the bonds of said county, to create a sinking fund, to provide for commissioners of same, and to provide for the collection of taxes for that purpose in said county;

An act to incorporate and establish a system of public schools in the town of Russellville, and within a radius of three miles of the court-house in said town;

An act to amend an act, entitled "An act to revise and amend the charter of the city of Dayton, Campbell county," approved March 7, 1876;

An act to prohibit the sale of spirituous, vinous and malt liquors in Clinton, Metcalfe and Monroe counties;

An act to change the name of the South Carrollton Male and

Female Institute to the West Kentucky Classical and Normal College, and regulate the course of study for teachers therein;

An act changing the county line between the counties of Morgan, Menifee, Wolfe and Breathitt;

And enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to incorporate the Citizens' Street Railway Company, of Henderson, Kentucky;

An act to authorize the city council of Stanford to issue bonds to pay off the outstanding indebtedness of the city of Stanford, and to provide street lamps for the city;

Resolution directing Librarian to furnish Statutes and Codes to law library of the University of Michigan, at Ann Arbor;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. J. R. W. Smith—

1. A bill for the benefit of the John N. Norton Infirmary.

On motion of Mr. D. H. Smith—

2. A bill to amend chapter 1342, Local and Private Acts, 1883–4.

On motion of same—

3. A bill to create a new school district in Larue county.

On motion of Mr. Taulbee—

4. A bill to incorporate the Elkhorn High School Company, of Taylor county.

On motion of Mr. Berry—

5. A bill to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," approved April 4, 1884.

Ordered, That the Committee on Charitable Institutions pre-

pare and bring in the 1st; the Committee on General Statutes, the 2d and 3d; the Committee on Courts of Justice the 4th; and the Committee on the Judiciary the 5th.

On motion of Mr. Worthington, leave of absence, indefinitely, was granted Mr. Glenn, Chief Clerk of the Senate.

The Senate, according to order, took up for consideration the majority and minority reports of the joint advisory committee appointed to investigate the convict labor troubles.

[*For reports, see Senate Journal, March 30th.*]

Mr. Sparks moved that the Senate go into Committee of the Whole for the consideration of the reports.

And the question being taken thereon, it was decided in the affirmative.

Whereupon, the Speaker of the Senate vacated the chair, and Mr. Sparks was called to and occupied same.

After a time spent in the consideration of said reports the committee rose, the Speaker of the Senate resumed the chair, and Mr. Sparks, the Chairman, reported that the committee had had under consideration the majority and minority reports of the joint advisory committee appointed to investigate the convict labor troubles,

And after proceeding with the consideration of the same for a time had risen, and directed him to ask leave for said committee to sit again to-day at 3:30 o'clock P. M.

Which was granted.

On motion of Mr. D. H. Smith, the Senate adjourned until 3:30 o'clock P. M.

The hour of 3:30 o'clock P. M. having arrived, the Speaker called the Senate to order and vacated the chair.

Whereupon, Mr. Sparks, Chairman of the Committee of the Whole, took the chair, and called the committee to order.

After a time the committee rose, and the Speaker of the Senate resumed the chair, and Mr. Sparks, the Chairman, reported that the committee had had under consideration the majority and minority reports of the joint advisory committee appointed to investigate the convict labor troubles,

And after proceeding with the consideration of the same for a time had risen, and directed him to ask leave for said committee to sit again to-morrow at 3:30 o'clock P. M.

Which was granted.

On motion of Mr. Gilbert, the Senate then adjourned.

WEDNESDAY, APRIL 7, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to provide for a registration of voters in the city of Lexington.

An act to incorporate the Grayson Springs Railroad Company.

An act to amend an act, entitled "An act to amend the charter of the South Kentucky Railroad Company," approved March 16, 1886, being chapter 290 of the Local and Private Acts of the session of 1885–6.

An act to incorporate the Anderson Hill Inclined Plane and Railway Company.

An act to enlarge the boundary of the common school district of the city of Newport, in Campbell county.

An act to establish the county of Carlisle.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous and malt liquors on election days in Owen county.

An act to authorize certain persons to convey a certain tract of land in Larue county, and invest the proceeds in other land to be used as a public burying ground at Big Spring Church, in Larue county, Ky.

An act to regulate the terms of Circuit Courts in Graves and Calloway counties.

An act to amend an act providing for the improvement of the Fountain Ferry Road, in Jefferson county, from the western boundary of the city of Louisville to the bank of the Ohio river, at the cost of the property benefited thereby, approved April 21, 1882.

An act to prohibit the sale of spirituous, vinous or malt liquors in the first and second magisterial districts, of Shelby county.

An act to prohibit the sale of spirituous or malt liquor in Grayson county.

An act for the benefit of the John N. Norton Memorial Infirmary.

An act to regulate the sale of spirituous, vinous and malt liquors in Allen county.

With an amendment to the last-named bill.

That they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act regulating the transfer of causes and appeals to and from the several courts of Kenton county.

That they had passed bills of the following titles, viz:

1. An act authorizing the voters of Scott county to vote on the last Saturday in September, 1886, on the proposition to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof in Scott county.

2. An act prohibiting the sale of spirituous, vinous or malt liquors in the Walton precinct, in Boone county.

3. An act to prohibit the sale of spirituous, vinous or malt liquors or any mixture thereof within one and a half miles of the Christian Church in the town of Crittenden, in Grant county.

4. An act to prohibit the sale of spirituous, vinous and malt liquors within one and one half miles of the Corinth Academy, in Grant county.

5. An act for the benefit of Andrew J. Gibony, Jr., of Casey county.

6. An act to prohibit the sale of spirituous, vinous and malt liquors in Spencer county.

7. An act to prohibit the sale, barter and traffic in spirituous, vinous or malt liquors in Webster county.

8. An act to repeal chapter 851, volume 2, pages 227 and 228, approved April 7, 1881.

9. An act to prohibit the sale of spirituous, vinous or malt liquors in the New Liberty election precinct, in Owen county.

10. An act to authorize the Board of Trustees of Catlettsburg to license, tax and regulate the sale of spirituous, malt and vinous liquors within said town.

11. An act to prohibit the sale of spirituous, vinous and malt liquors, and all admixtures thereof within one mile of Zion Church in Hayden's Corner precinct, in Clark county.

12. An act to repeal an act of March 29, 1878, prohibiting the granting of license to sell and tipple spirituous, vinous and malt liquors in Fulton county, so far as said act relates to the city of Hickman, and to provide for a vote in said city whether such license shall be granted there, and to regulate license tax therein.

13. An act to regulate the sale of spirituous liquors in Simpson county.

14. An act in regard to certain roads in Carroll county, and to provide for working the same.

15. An act to authorize the people of Lincoln county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquor in said county.

16. An act to prohibit the sale, barter, loan or traffic in spirituous, vinous or malt liquors in the county of Henry.

17. An act to prohibit the sale, barter, loan or traffic in spirituous, vinous or malt liquors in Boone county.

18. An act to prohibit the sale or vending of spirituous, vinous or malt liquors within one mile of St. Marks, in McLean county.

19. An act to prohibit the sale of spirituous, vinous and malt liquors in the county of Fleming.

20. An act to prohibit the sale of spirituous, vinous or malt liquors within one mile of Yellow Creek school-house, in Daviess county.

21. An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in two miles of Pleasant Point Church, in Lincoln county."

22. An act to prohibit the sale of intoxicating liquors in the town of Ceralvo, Ohio county.

23. An act to prohibit the sale, giving or loaning of any spirituous, vinous or malt liquors, or any mixture thereof, within three miles of Roaring Spring, in Trigg county.

24. An act to prohibit the sale of spirituous, vinous and malt liquor within two miles of Oregon Ferry, on the Kentucky river, in Woodford and Mercer counties.

25. An act to provide for the sale of New Bethel Church, in McCracken county, and to re-invest proceeds.

26. An act to prohibit the sale of spirituous, vinous and malt liquors within a radius of four miles of New Bethel Church, in Lyon county.

27. An act to repeal chapter 1445 of an act, entitled "An act to amend an act to prohibit the sale of spirituous, vinous and malt liquors in the counties of Laurel, Rockcastle, Jackson, Owsley and Clay," approved April 4, 1884.

28. An act to prohibit horses, mules and hogs from running at large on turnpike roads in Bath county.

29. An act to provide for the working of persons committed to the custody of the Jailer of Green county.

30. An act to reduce and define the boundary of the town of Morehead, in Rowan county, Kentucky.

31. An act to establish a voting place in Graves county, at Hickory Grove.

32. An act to amend the charter of the town of Allensville, Todd county, approved January 30, 1867.

33. An act to authorize the County Court of Daviess county to acquire ground for and to build a new jail and Jailer's residence for said county, and to provide means to pay for same.

34. An act to prohibit the manufacture and sale of spirituous, vinous and malt liquors, or mixture of either, within one and one half miles from any church or house used by any congregation or denomination in which people assemble to worship God, in Laurel county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Immigration and Labor; the 2d, 3d, 4th, 6th, 7th, 8th, 9th, 11th, 12th, 13th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 32d and 34th to the Committee on Religion and Morals; the 5th and 33d to the Committee on Propositions and Grievances; the 10th to the Committee on General Statutes; the 14th to the Committee on Internal Improvements; the 28th to the Committee on Agriculture and Manufactures; the 29th and 30th to the Committee on the Judiciary, and the 31st to the Committee on Privileges and Elections.

On motion of Mr. J. R. W. Smith,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to re-instate an act, No. 256, of the General Assembly of the Commonwealth of Kentucky, approved February 28, 1876, entitled "An act to prohibit the sale of spirituous, malt and vinous liquors in Glasgow, and within one mile from the outside boundary thereof, and to repeal all acts in conflict with said act."

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

The Senate took up for consideration the motion heretofore entered by Mr. Rigney to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to incorporate the

Middleburg Seminary, in Casey county," approved April 27, 1879.

And the question being taken thereon, it was decided in the affirmative.

Mr. Rigney moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to repeal an act, entitled "An act to incorporate the Middleburg Seminary, in Casey county," approved April 27, 1880.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to authorize County Courts to appoint special administrators for the collection and distribution of French and Spanish spoliation claims.

Mr. Gilbert read and laid on the table a joint resolution, entitled

Resolution fixing the time of *sine die* adjournment of General Assembly.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the General Assembly shall adjourn *sine die* on Friday, April 16, 1886, at 12 o'clock M., and that no bills or resolutions shall be introduced on that day.

Which, under the rule, lies over one day.

Mr. Gilbert moved that the rules be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Martin, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	J. D. Harris,	W. F. Neat,
M. C. Alford,	R. G. Hays,	J. N. Price,
W. J. Caudill,	S. E. Hill,	F. D. Rigney,
W. H. Frederick,	L. M. Martin,	E. R. Sparks,
G. G. Gilbert,	J. H. McDanell,	R. S. Triplett—15.

Those who voted in the negative, were—

A. S. Berry,	H. T. Kendall,	W. H. Taulbee,
R. A. Burnett,	J. W. Ogilvie,	E. L. Worthington,
F. M. Clement,	D. H. Smith,	J. H. Wilson—11.
Henry Dixon,	J. R. W. Smith,	

Mr. Triplett, from the Committee on Library, Public Buildings and Offices, to whom was recommitted a joint resolution, entitled

Resolution in relation to finishing room in building known as Public Offices, in city of Frankfort,

Reported the same without amendment.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That it shall be, and is hereby, made the duty of the State Librarian to cause the large room in the second story of the building known as Public Offices, in the city of Frankfort, to be finished in such style and under such contract or contracts as may be approved by the Governor: *Provided, however*, That the entire cost thereof shall not exceed the sum of three thousand dollars.

The question was then taken on the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	S. E. Hill,	W. H. Taulbee,
J. W. Bryan,	H. T. Kendall,	E. L. Worthington,
C. M. Clay, Jr.,	L. W. McKee,	R. S. Triplett—11.
W. M. Cravens,	D. H. Smith,	

Those who voted in the negative, were—

R. T. Albritton,	J. D. Harris,	F. D. Rigney,
R. A. Burnett,	J. H. McDanell,	J. R. W. Smith,
W. J. Caudill,	W. F. Neat,	E. R. Sparks,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—14.
W. H. Frederick,	J. N. Price,	

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to provide for the organizing, maintaining and supervising of common schools in the town of Pikeville and vicinity, in Pike county;

An act for the benefit of colored common schools of Pike county, and to authorize the Superintendent and Board of Examiners of common schools of Pike county to issue special license to persons to teach colored common schools of said county;

An act to enable and empower the Paducah public school board to sell, lease or alter the University building in said city;

An act to amend an act, entitled "An act to incorporate the Central University;"

An act to incorporate the Mt. Sterling Music College, of the city of Mt. Sterling;

An act to amend an act, entitled "An act to incorporate the Louisville Abstract and Loan Association;"

An act for the benefit of J. W. Forbes, teacher of common school district No. 61, in Henry county, for years 1883–84;

An act to change the boundary line of school district No. 43, in Clark county, so as to include certain farms now in school district No. 51, in said county;

An act to allow Jno. B. Spencer, Sheriff of Lawrence county, further time in which to give revenue bond;

An act to establish a system of public graded schools in district No. 47, East Point;

An act to amend title 19, chapter 4, of the Code of Practice in civil cases;

An act to amend an act, entitled "An act to provide for the assessment and collection of a tax upon distilled spirits," approved April 21, 1882;

And an enrolled bill which originated in the Senate of the following title, viz:

An act to regulate the terms of the Circuit Courts of Graves and Calloway counties;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Gilbert—

1. A bill to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Lagrange, in Oldham county," approved February 2, 1882.

On motion of Mr. Clay—

2. A bill to declare void certain endorsements heretofore erroneously made on certain certificates of survey and on certain warrants on file in the Land Office, and to authorize patents to be issued on said certificates of survey.

On motion of Mr. Berry—

3. A bill for the relief of John F. Davis, Commissioner of Agriculture.

On motion of Mr. D. H. Smith—

4. A bill relating to the town of Conner, in Hart county.

On motion of Mr. Hays—

5. A bill amending the charter of Louisville, providing for the appointment of an Assistant Attorney for said city.

On motion of same—

6. A bill to repeal an act, approved May 10, 1884, providing for and regulating the ventilation of coal mines in Kentucky.

On motion of Mr. Wilson—

7. A bill to incorporate the Central Jellico Coal Company.

On motion of Mr. Berry—

8. A bill for the benefit of R. J. Thomasson, a guard at the Penitentiary.

On motion of Mr. Alford—

9. A bill providing for the protection of hotel-keepers.

On motion of same—

10. A bill to amend the John C. Breckinridge Monument Association charter.

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st; the Committee on the Judiciary the 2d; the Committee on Agriculture and Manufactures the 3d; the Committee on General Statutes the 4th and 7th; the Committee on Finance the 5th and 6th; the Committee on Claims the 8th, and the Committee on Courts of Justice the 9th and 10th.

Mr. Triplett, from the Committee on Library, Public Buildings and Offices, to whom was referred leave to bring in a bill, entitled

An act authorizing the Librarian to appoint a watchman for Public Buildings,

Reported the same with the expression of opinion that said bill ought to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, The Librarian is hereby authorized and empowered to appoint a watchman of Public Grounds and Buildings, at Frankfort. He shall have full power to arrest all persons committing any offense upon said grounds, and deliver the persons to the proper tribunal for trial. He shall see that no injury is done to the property. He shall hold his office during the term of the Librarian, and shall receive a salary of not exceeding fifty dollars per month.

§ 2. This act shall take effect from its passage.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Hays moved to amend said bill as follows, viz:

Amend by striking out the word "fifty," and inserting in lieu thereof the word "twenty-five."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	L. W. McKee,	E. R. Sparks,
C. M. Clay, Jr.,	J. R. W. Smith,	R. S. Triplett—7.
G. G. Gilbert,		

Those who voted in the negative, were—

R. T. Albritton,	J. D. Harris,	J. W. Ogilvie,
M. C. Alford,	R. G. Hays,	J. N. Price,
J. W. Bryan,	S. E. Hill,	F. D. Rigney,
R. A. Burnett,	H. T. Kendall,	D. H. Smith,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee,
F. M. Clement,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	W. F. Neat,	J. H. Wilson—21.

So said bill was rejected.

Mr. Triplett, from the Committee on Library, Public Buildings and Offices, to whom was referred leave to bring in a bill, entitled

A bill to authorize the State Librarian to purchase certain books,

Reported the same with the expression of opinion that said bill ought to pass.

Said bill reads as follows, viz:

WHEREAS, There is a great need for a complete and accurate index to all the acts of the Kentucky Legislature from the formation of the State up to the present time; and whereas Messrs. W. B. Peters and J. H. Stuart have in course of preparation such a book, arranged with the Public and Private Acts, separated bank charters, railroad charters, turnpike charters and city and town charters all arranged under their respective heads, and other acts in a similar manner; therefore,

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the State Librarian be, and hereby is, directed to purchase one hundred copies of said index for use of the State; said books to be bound in good law sheep, printed on good book paper, and distributed as follows: One to each of the State Departments; one to each of the Judges of the Court of Appeals and Superior Court; one to each of the Circuit and Common Pleas Judges in the State; the remaining copies to be

retained in the State Library for the use of the General Assembly while in session.

2. That the Auditor be, and is hereby, directed to draw his warrant on the Treasury, when he and the Attorney-General shall have examined the work and are satisfied that it has been faithfully and accurately executed, for an amount not to exceed five dollars per volume in payment for said books as soon as the Librarian shall certify that they have been delivered.

3. This act shall take effect from and after its passage.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. J. R. W. Smith objected to the further reading of said bill on this day.

Mr. Gilbert moved that the rules be suspended, and that said bill be engrossed and read a third time.

And the question being taken thereon, it was decided in the negative.

So said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Gilbert and Clay, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	R. G. Hays,	E. R. Sparks,
C. M. Clay, Jr.,	L. W. McKee,	E. L. Worthington,
W. H. Frederick,	F. D. Rigney,	R. S. Triplett—11.
G. G. Gilbert,	D. H. Smith,	

Those who voted in the negative, were—

R. T. Albritton,	Henry Dixon,	W. F. Neat,
R. A. Burnett,	J. D. Harris,	J. W. Ogilvie,
W. J. Caudill,	S. E. Hill,	J. R. W. Smith,
F. M. Clement,	H. T. Kendall,	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	J. H. Wilson—15.

The Senate, according to order, took up for consideration a bill, entitled

An act to quiet land titles in this Commonwealth.

Said bill reads as follows, viz:

WHEREAS, By recent decisions of the Court of Appeals, patents for lands granted by the Commonwealth of Kentucky, containing within their boundaries other lands under prior patents not described with certainty, have been declared void; and whereas, by later decisions of the Courts of Appeals, it is held that though the patents containing exclusions not described are void, yet the land described in the void patent is not subject to entry and survey; and whereas, the necessity for further legislation is directly suggested by the Court of Appeals in its latest deliverance upon the subject; now, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in all cases of patents issued by the Commonwealth of Kentucky for lands in which the patent recites the exclusion of other lands within the patent boundary, but does not describe the excluded lands with certainty sufficient to locate them, the patentee or any person claiming title by or through such patent may, within five years from the first day of July, 1886, cause to be made and filed in the office of the Register of the Land Office, a survey and plat of said lands, describing by metes and bounds the exclusions contained within the boundaries of the original patent.

§ 2. The claimant so filing said plat and survey in the office of the Register, unless he be the original patentee, shall at the same time, file with the plat and survey a chain of title showing his connection with the original patent.

§ 3. The Register of the Land Office shall, upon the filing of the plat and survey, and the chain of title, as directed in sections 1 and 2 of this act, issue, as now required by law in the issuing of original patents, a renewal patent to the claimant in lieu of the original patent, which shall contain the description of the exclusions in general terms referring to the plat and survey for particular description.

§ 4. Caveats may be entered, and the same proceedings had thereon in the granting of renewal patents, as is now allowed by law in the granting and issue of original patents.

§ 5. The renewal patent, provided for herein, shall contain the original and renewal numbers of the patent.

§ 6. This act shall take effect from its passage.

Mr. Caudill moved to amend said bill as follows, viz:

Amend by adding to section 5 of the bill the following words, to wit: "The provisions of this act shall not apply to the counties of Clay, Leslie, Harlan, Perry, Letcher, Knott, Floyd, Pike and Martin."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Caudill and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	R. G. Hays,	D. H. Smith,
R. A. Burnett,	J. W. Ogilvie,	R. S. Triplett,
W. J. Caudill,	F. D. Rigney,	J. H. Wilson—10
F. M. Clement,		

Those who voted in the negative, were—

M. C. Alford,	J. D. Harris,	J R. W. Smith,
J. W. Bryan,	S. E. Hill,	W. H. Taulbee,
C. M. Clay, Jr.,	L. W. McKee,	E. L. Worthington,
G. G. Gilbert,	W. F. Neat,	F. T. D. Wallace—12.

Mr. Wilson moved to amend said bill as follows, viz:

Amend section 1 as follows: After the word "patents" and before the word "issued," in the first line, insert the following: "legally procured and legally."

On motion of Mr. Burnett,

Ordered, That said bill and proposed amendment be recommitted to the Committee on the Judiciary.

The Senate, according to order, took up for consideration a bill, entitled

An act to abolish the writ of *ad quod damnum*, and to establish a uniform mode of condemning private property for public uses.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the writ of *ad quod damnum* and proceedings thereunder, as now provided by law, are abolished, and hereafter the manner of condemning lands or materials for railroad, turnpike, cemetery, water-pipe, gas-pipe, public road, passway, ferry, mill, toll-house, depot, or other public purposes, when no agreement therefor can be made with the owner or owners, shall be as prescribed in the act approved April 11, 1882, entitled "An act to prescribe the mode of condemning land for the use of railroad and turnpike companies."

§ 2. The laws relating to the manner of appointing viewers for the purpose of establishing, altering or discontinuing public roads and of erecting gates thereon, or for the purpose of viewing the property of any person or company in any case in contemplation of its being condemned for a public use, together with the powers and duties of such viewers as now provided by law, shall remain unaffected by this act, except to the extent that the same are in conflict herewith, and provided that all proceedings from and after the filing of the report of such

viewers, shall conform to, and be regulated by, the provisions of said act of April 11, 1882, and of this amendment.

§ 3. This act shall take effect and be in force from and after its passage.

Mr. Worthington moved to amend said bill as follows, viz:

Amend by adding the following as section 3: "All acts, public and private, including those special acts passed at the present session of the Legislature, are hereby repealed."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	J. D. Harris,	F. D. Rigney,
M. C. Alford,	R. G. Hays,	D. H. Smith,
J. W. Bryan,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	J. H. McDanell,	R. S. Triplett,
C. M. Clay, Jr.,	L. W. McKee,	F. T. D. Wallace,
F. M. Clement,	W. F. Neat,	E. L. Worthington,
Henry Dixon,	J. W. Ogilvie,	J. H. Wilson—26.
G. G. Gilbert,	J. N. Price,	

Those who voted in the negative, were—

W. H. Frederick, J. R. W. Smith—2.

On motion of Mr. Bryan, the Senate adjourned until 3:30 o'clock P. M.

The hour of 3:30 o'clock P. M. having arrived, the Speaker called the Senate to order.

On motion of Mr. Hill,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the disagreement by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend the charter of the Short Route Railway Transfer Company.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Hill moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

The Speaker of the Senate then vacated the chair.

Whereupon, Mr. Sparks, Chairman of the Committee of the Whole, took the chair and called the committee to order.

After a time the committee rose, the Speaker of the Senate resumed the chair, and Mr. Sparks, the Chairman, reported that the committee had had under consideration the majority and minority reports of the joint advisory committee appointed to investigate the convict labor troubles,

And after proceeding with the consideration of said reports for a time, had risen and directed him to report the same back to the Senate without an expression of opinion.

On motion of Mr. Bryan, the Senate then adjourned

THURSDAY, APRIL 8, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act to create a Common Pleas Court in the counties of Bourbon, Clark, Madison, Bath and Montgomery.

2. An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for the relief of the Penitentiary,'" approved May 3, 1880.

Which bills were read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Courts of Justice, and the 2d to the Committee on Penitentiary and House of Reform.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the Senate, of the following titles, viz:

An act to regulate the terms of the Circuit Courts of Graves and Calloway counties;

An act to incorporate the Citizens' Street Railway Company, of Henderson, Kentucky.

An act to authorize the city council of Stanford to issue bonds to pay off the outstanding indebtedness of the city of Stanford, and to provide street lamps for the city.

Resolution directing Librarian to furnish Statutes and Codes to law library of the University of Michigan, at Ann Arbor.

Mr. Martin, from the Committee on the Judiciary, to whom was recommitted a bill from the House of Representatives, entitled

An act to repeal an act, entitled "An act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization," approved May 10, 1884,

Reported the same without amendment.

Mr. Clay moved an amendment to said bill as a substitute therefor.

Ordered, That the further consideration of said bill and proposed amendment thereto be postponed, and that said bill and proposed amendment be printed and made the special order of the day for Thursday, April 15th, at 11 o'clock A. M., and from day to day until disposed of.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. D. H. Smith, from the Committee on General Statutes—

A bill to amend an act, entitled "An act to amend an act, entitled 'An act to amend an act incorporating the town of Munfordville, in Hart county,'" approved May 12, 1884.

By Mr. Taulbee, from the Committee on Courts of Justice—

A bill to incorporate the Elkhorn High School, of Taylor county.

By Mr. Harris, from the Committee on Internal Improvements—

A bill to amend the charter of the New National Turnpike Company, composed of the Jefferson and Bullitt and National Turnpike Companies, consolidated said act, approved — day of ——, 188–.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Sparks, from the Committee on Immigration and Labor—

An act to repeal an act, entitled "An act to authorize a certain defined portion of Jessamine county to subscribe to the capital stock of the Sugar Creek and Watt's Mill Turnpike Road Company," approved May 1, 1884.

By Mr. Clement, from the Committee on Privileges and Elections—

An act to establish a voting place in Graves county, at Hickory Grove.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the American Mutual Benefit Association of Mexican War Veterans.

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act to establish the line between Breckinridge and Hancock counties.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act fixing the times for holding the McLean County Courts;

An act to repeal an act, entitled "An act to amend the charter and amendments thereto of the Deposit Bank of Glasgow," approved January 29, 1874, and to repeal an act, entitled "An act to amend the several acts incorporating the Deposit Bank of Glasgow," approved January 31, 1882;

An act to amend an act, entitled "An act to prevent the selling, giving or loaning spirituous, malt or vinous liquors within the town of Allensville, or within three miles of the corporate limits thereof, in Todd county;"

An act to incorporate the congregation of the Presbyterian Church at Burksville, Cumberland county, and to exempt the same from taxation;

An act creating an additional voting place, in Breckinridge county;

An act to authorize the Bullitt County Levy Court to issue county bonds for the purpose of constructing certain turnpike roads, in said county, and to levy a tax to pay off said bonds and interest thereon;

An act to prohibit the sale of spirituous, vinous or malt liquors at or within one mile of Pinkard school-house, in Woodford county;

An act to incorporate the town of Dowling, in Anderson county;

An act to repeal so much of an act for the benefit of certain County Clerks of this Commonwealth as applies to Logan county;

An act to prohibit the sale, loan, barter or traffic in spirituous, vinous or malt liquors, in the county of Todd, and to submit the question to the people;

An act to amend the charter of the Chesapeake and Nashville Railway Company;

An act to amend an act, entitled "An act to incorporate the town of Camdensville, in Anderson county, and to change the name of said town from Camdensville to Orr;"

An act to prohibit the sale of spirituous, vinous or malt liquors at Mount Herman Church, in Todd county, or within two miles thereof;

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in the town of Elkton, Todd county, and within one mile of the corporate limits thereof," passed March 6, 1882;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869;

An act to authorize the Daviess County Court to levy an ad valorem tax for ordinary purposes;

An act to grant the consent of the State of Kentucky to the acquisition by the United States of lands within the city of Owensboro, for the purpose of erecting public buildings, and ceding to the United States jurisdiction over the same;

An act regulating the transfer of causes and appeals to and from the several courts of Kenton county;

An act to authorize the trustees of common school district No. 25, in Fleming and Bath counties, to levy and collect a tax for the benefit of the common school property in said district;

An act to repeal an act, entitled "An act to incorporate the Middleburg Seminary, in Casey county," approved April 27, 1880;

An act to incorporate the Board of Trustees for disabled Protestant Episcopal Clergy, and for widows and orphans of

deceased Protestant Episcopal Clergymen, of the Diocese of Kentucky;

An act authorizing the County Court of Meade county to issue bonds to pay the indebtedness of said county, and to repeal an act, entitled "An act authorizing the County Levy Court of Meade county to levy an additional ad valorem tax," approved January 25, 1886, and to repeal an act, entitled "An act authorizing the County Court of Meade county to issue bonds to pay the indebtedness of said county," approved January 14, 1886;

Resolution asking our Representatives in Congress to use their influence in aid of the passage of a bill pending in Congress to establish a system of signal service throughout the United States;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to prohibit the sale, barter and traffic in spirituous, vinous and malt liquors in Christian county;

An act to prohibit the sale of spirituous, vinous or malt liquors in the first and second magisterial districts of Shelby county;

An act to prohibit the sale of spirituous, vinous or malt liquors in Grayson county;

An act for the benefit of the John N. Norton Memorial Infirmary;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Neat reported that the committee had performed that duty.

Mr. Price, from the Committee on Claims, to whom was recommitted a bill, entitled

A bill for the benefit of Newton Craig, of Scott county

Reported the same without amendment.

Said bill reads as follows, viz:

WHEREAS, At the session of 1883 and 1884, the General Assembly of the Commonwealth of Kentucky appointed a commission to investigate and correct an alleged error complained of by Newton Craig as made in a settlement of accounts between the Commonwealth and said Craig as agent and Keeper of the Penitentiary; and whereas, said commissioners after a full and thorough investigation of the matter, reported that a mistake had been made, and on account of said mistake they find the Commonwealth of Kentucky indebted to the said Newton Craig in the sum of $3,847.83, with interest on same from the first day of January, 1856, until paid; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasury in favor of Newton Craig for the sum of $3,847.83, with interest from the first day of January, 1856, until paid, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

Mr. D. H. Smith moved the following amendment to said bill as a substitute therefor, viz:

WHEREAS, Certain settlements have been made and suits determined between the State and Newton Craig, growing out of the claims of the latter as agent of the State and Keeper of the Penitentiary. Through Commissioners appointed to settle and adjust the accounts between them and in said settlements, as is alleged by Craig, certain mistakes were made against him in giving the State improper credits, and in failing to allow him certain claims to which he was entitled; now, in order to a final adjustment of all matters between the State and said Craig, and to procure a settlement upon the principles of equity and justice,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a commission, consisting of Josh F. Bullitt, Sr., Stephen Black, Thomas G. Poore, Richard A. Spurr and James Y. Kelly, who are hereby authorized and directed to take into consideration all of the reports of former commissioners, the late report of the Governor, and all other documents connected with this matter, and make a full and final settlement of this long and expensive matter.

§ 2. All of said commissioners herein appointed, shall take and subscribe to an oath that they will carefully and diligently investigate and settle all the matters in controversy upon principles of equity and justice. When their settlement is concluded and a majority of their signatures appended thereto, they shall certify the same to the Auditor of Public Accounts the result, who is hereby directed to draw his warrant on the Treasury for the amount of their award, if any be found in favor of said Craig.

§ 3. This act to take effect from and after its passage.

Mr. Hill moved that the further consideration of said bill and proposed amendment be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton, J. W. Bryan, R. A. Burnett, F. M. Clement, S. E. Hill, L. W. McKee, W. F. Neat, J. T. Simon—8.

Those who voted in the negative, were—

A. S. Berry, W. J. Caudill, Henry Dixon, W. H. Frederick, J. D. Harris, R. G. Hays, H. T. Kendall, L. M. Martin, J. H. McDanell, J. W. Ogilvie, J. N. Price, F. D. Rigney, D. H. Smith, E. R. Sparks, W. H. Taulbee, R. S. Triplett, F. T. D. Wallace, E. L. Worthington, J. H. Wilson—19.

Mr. Clement moved to amend the amendment proposed by Mr. D. H. Smith to said bill as follows, viz:

Amend by adding to the commission the "Governor and Attorney-General."

And the question being taken thereon, it was decided in the negative.

Mr. Hill moved to amend the amendment proposed by Mr. D. H. Smith to said bill as follows, viz:

Amend by striking out the names of the "commissioners," and inserting in lieu thereof the following: "The Governor shall name one commissioner and Mr. Craig shall name one, and the two thus named shall select a third commissioner."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Simon and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	J. D. Harris,	J. W. Ogilvie,
J. W. Bryan,	S. E. Hill,	F. D. Rigney,
R. A. Burnett,	H. T. Kendall,	J. T. Simon,
W. J. Caudill,	L. M. Martin,	J. R. W. Smith,
C. M. Clay, Jr.,	J. H. McDanell,	W. H. Taulbee,
F. M. Clement,	L. W. McKee,	E. L. Worthington,
Henry Dixon,	W. F. Neat,	F. T. D. Wallace—21.

Those who voted in the negative, were—

A. S. Berry,	J. N. Price,	E. R. Sparks,
W. H. Frederick,	D. H. Smith,	J. H. Wilson—7.
R. G. Hays,		

Mr. Martin moved to amend the amendment proposed by Mr. D. H. Smith to said bill as follows, viz:

Amend by adding "in making said settlement no interest shall be charged against either the State or Craig."

And the question being taken thereon, it was decided in the affirmative.

Mr. Clay moved to amend the amendment proposed by Mr. D. H. Smith to said bill as follows, viz:

That the Attorney-General is hereby instructed to represent the State before this board of commissioners and Newton Craig may be represented by counsel before said board at his own expense.

And the question being taken thereon it was decided in the affirmative.

Mr. Simon moved to amend the amendment proposed by Mr. D. H. Smith to said bill as follows, viz:

Amend by requiring the said commissioners to take an oath, before acting, to act according to law and evidence and the equity of the case to the best of their judgment, without favor or affection.

And the question being taken thereon, it was decided in the affirmative.

Mr. Dixon moved to reconsider the vote by which the Senate had adopted the amendment proposed by Mr. Martin to the amendment proposed by Mr. D. H. Smith to said bill.

Mr. J. R. W. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Simon, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	J. D. Harris,	W. F. Neat,
J. W. Bryan,	S. E. Hill,	J. W. Ogilvie,
R. A. Burnett,	H. T. Kendall,	J. T. Simon,
W. J. Caudill,	L. M. Martin,	J. R. W. Smith,
C. M. Clay, Jr.,	L. W. McKee,	R. S. Triplett—16.
F. M. Clement,		

Those who voted in the negative, were—

A. S. Berry,	J. N. Price,	W. H. Taulbee,
Henry Dixon,	F. D. Rigney,	F. T. D. Wallace,
W. H. Frederick,	D. H. Smith,	E. L. Worthington,
R. G. Hays,	E. R. Sparks,	J. H. Wilson—13.
J. H. McDanell,		

Mr. Hays moved to amend the amendment proposed by Mr. D. H. Smith to said bill as follows, viz:

No person holding an office under the State Government shall act as an arbitrator or commissioner.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. D. H. Smith to said bill, and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, Certain settlements have been made and suits determined between the State and Newton Craig, growing out of the claims of the latter as agent of the State and Keeper of the Penitentiary, through commissioners appointed to settle and adjust the accounts between them, and in said settlements, as is alleged by Craig, certain mistakes were made against him in giving the State improper credits and in failing to allow him certain claims to which he was entitled. Now, in order to a final adjustment of all matters between the State and said Craig, and to procure a settlement upon the principles of equity and justice,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a commission consisting of three persons, one of whom shall be named by the Governor, one by Newton Craig, and the third by the two thus named, be, and the same is hereby, authorized and empowered to take into consideration all of the reports of former commissioners, the late report of the Governor, and all other documents connected with this matter, and make a full and final settlement of this long and expensive matter. The Attorney-General is hereby instructed to represent the State before this board of commissioners, and Newton Craig may be represented by counsel in all matters before said board of commissioners at his own expense; and in making said settlement no interest shall be charged against either the State or Craig, and no person holding an office under the State Government shall act as an arbitrator or commissioner.

§ 2. All of said commissioners herein authorized to be selected shall, before acting as such, take an oath to act according to law and evidence and the equity of the case to the best of their judgment, without favor or affection. When their settlement is concluded, and a majority of their signatures appended thereto, they shall certify to the Auditor of Public Accounts the result, who is hereby directed to draw his warrant on the Treasury for the amount of their award, if any be found, in favor of said Craig.

§ 3. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	H. T. Kendall,	D. H. Smith,
J. W. Bryan,	L. M. Martin.	E. R. Sparks,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee,
C. M. Clay, Jr.,	J. W. Ogilvie,	R. S. Triplett,
Henry Dixon,	J. N. Price,	F. T. D. Wallace,
W. H. Frederick,	F. D. Rigney,	E. L. Worthington,
J. D. Harris,	J. T. Simon,	J. H. Wilson—22.
R. G. Hays,		

Those who voted in the negative, were—

R. T. Albritton,	S. E. Hill,	W. F. Neat,
R. A. Burnett,	L. W. McKee,	J. R. W. Smith—7.
F. M. Clement,		

Resolved, That the title of said bill be as aforesaid.

Mr. Ogilvie moved to reconsider the vote by which the Senate had passed said bill.

Mr. J. R. W. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burnett and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

W. J. Caudill,	L. M. Martin,	J. R. W. Smith,
C. M. Clay, Jr.,	J. H. McDanell,	E. R. Sparks,
Henry Dixon,	J. W. Ogilvie,	W. H. Taulbee,
W. H. Frederick,	F. D. Rigney,	R. S. Triplett,
J. D. Harris,	J. T. Simon,	E. L. Worthington,
R. G. Hays,	D. H. Smith,	J. H. Wilson—19.
H. T. Kendall,		

In the negative—J. N. Price—1.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Berry—

1. A bill, entitled "An act to amend the charter of the Newport and Dayton Street Railway Company."

On motion of Mr. Hays—

2. A bill prescribing the mode of selling morphine and other salts in the State of Kentucky.

Ordered, That the Committee on Railroads prepare and bring in the 1st, and the Committee on Courts of Justice the 2d.

The Senate, according to order, took up for consideration the majority and minority reports of the joint advisory committee appointed to investigate the convict labor troubles.

Pending the consideration of which, Mr. J. R. W. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The Senate then adjourned.

FRIDAY, APRIL 9, 1886.

The reading of the Journal of yesterday was dispensed with.

On motion of Mr. Neat, leave of absence, indefinitely, was granted Messrs. Albritton, Clement and Burnett.

Mr. Caudill moved to reconsider the vote by which the Senate had rejected a joint resolution, entitled

Resolution in relation to finishing room in public offices in city of Frankfort.

Which motion was simply entered.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Blue Bank and Bell Grove Spring Turnpike Road.

An act to incorporate the Cheese Lick, Dugansville, and Barnett Tower Turnpike Road Company.

An act to incorporate the Elkhorn High School, of Taylor county.

An act to prevent the selling, bartering, exchanging or trafficking in spirituous, vinous or malt liquors, or any mixture thereof, in the Canton voting precinct, in Trigg county.

An act to amend an act, entitled "An act to prohibit the sale, loan or gift of spirituous, vinous or other intoxicating liquors within one mile of the South Elkhorn Christian Church, at the village of South Elkhorn, in Fayette county, and within one mile of the South Elkhorn Baptist Church, at the village of Slickaway, in said county," approved February 11, 1882.

An act to amend an act to amend an act to incorporate the General Association of Colored Baptists of Kentucky, approved April 8, 1884.

An act to regulate the sale of fertilizers in this Commonwealth, and to protect the agriculturist in the purchase and use of same.

An act to incorporate Salem Baptist Church, and to prevent the sale of liquors within three miles thereof.

With an amendment to the last-named bill.

That they had adopted a resolution and passed bills of the following titles, viz:

1. Resolution authorizing loaning of cannon to Confederate Re-union Association, at Cynthiana.

2. An act for the benefit of the Hayden's Corner and Forest Grove Turnpike Company.

3. An act in relation to the time of holding the Common Pleas Court in Jessamine county.

4. An act to repeal an act to change the road law in Robertson county, approved January 27, 1876, and to restore chapter 94 of the General Statutes in said county.

5. An act for the benefit of Mary E. Evans, of Ballard county.

6. An act to incorporate the Muhlenberg County Telephone Company.

7. An act to amend the charter of the Goshen and Sligo Turnpike Road Company.

8. An act to amend an act to charter the Owingsville and Wyoming Turnpike Road," approved March 2, 1867.

9. An act to prevent hogs running on the public roads in the voting precinct of Pitt's Point, Bullitt county.

10. An act to incorporate the Bond Mill and Cheese Lick Creek Turnpike Road Company, in Anderson county.

11. An act to incorporate the Wardsville and Lick Skillet Turnpike Road Company, in Anderson county.

12 An act to amend an act, entitled "An act to incorporate the Springfield, Mackville and Willisburg Turnpike Road Company, chapter 226," approved March 3, 1856.

13. An act for the benefit of Pleasant Bartley, of Pike county.

14. An act declaring the Panther Fork of Wolf creek a navigable stream.

15. An act to prohibit the manufacture or sale of spirituous, vinous or malt liquors, or any mixture of either within two miles of Big Meadow Church, in Metcalfe county.

16. An act for the benefit of the New Liberty and Dallasburg Turnpike Road Company.

17. An act declaring Chestnut creek, in Johnson county, a navigable stream.

18. An act to repeal chapter 916, volume 2, 1881, pages 329, 330 and 331, approved April 8, 1882.

19. An act for the benefit of the Mayslick and Helena and Mayslick and Elizaville Turnpike Roads.

20. An act to incorporate the Pulaski Mineral and Timber Company.

21. An act to prohibit the manufacture or sale of spirituous, vinous or malt liquors within the limits of common school district No. 33, known as Mount Pleasant District, in Barren county.

22. An act to declare Pricy creek, in Magoffin county, a navigable stream.

23. An act to repeal an act, entitled "An act to incorporate the Fourth Avenue Turnpike Company," approved February 27, 1882.

24. An act to declare Grassy creek, in Morgan county, a navigable stream.

25. An act for the benefit of Summit Station Turnpike Road Company.

26. An act to incorporate the Transit Avenue Turnpike Road Company.

27. An act to authorize John Finlayson & Company to keep a boom across the mouth of Beaver creek, in Floyd county, and to provide fees for boomage, etc.

28. An act to incorporate the Gudgell and McClure Turnpike Road Company, in Anderson county.

29. An act to incorporate the Salt River and New Liberty Church Turnpike Road Company.

30. An act to incorporate the Franklin County and Pigeon Fork Meeting-house Turnpike Road Company.

31. An act to charter the Pleasant Spring and Brushy Fork Turnpike Road Company, in Nicholas county.

32. An act to amend the charter and change the name of the Dorseyville Turnpike Road Company.

33. An act to incorporate the Fourth Avenue Park Turnpike Company, in Jefferson county.

34. An act to incorporate the Louisville Theatrical Mechanical Association, No. 8.

35. An act to constitute and create Hayden's Corner local option district, in Clark county.

36. An act to prohibit the sale of spirituous, vinous and malt liquors, in the county of Muhlenberg.

37. An act to prohibit the sale of intoxicating liquors at or within one mile of the Leestown Presbyterian Church, in Franklin county.

38. An act to amend an act, entitled "An act to prevent the sale of spirituous, vinous or malt liquors, or any mixture thereof, within one and a half miles of Hinton Station, in Scott county," approved April 6, 1880.

39. An act to repeal an act, entitled "An act to prohibit the sale, barter and traffic in spirituous, vinous and malt liquors in Hopkins county."

40. An act to amend an act, entitled "An act to prohibit the sale of intoxicating liquors in the counties of Bell, Harlan, Perry and Leslie," approved February 9, 1884.

41. An act changing the corporate limits of the town of Mayslick, in Mason county.

42. An act to amend an act, entitled "An act to prohibit the sale and restrain the bartering of spirituous, vinous and malt liquors in school district No. 17, now 23, including the town of Clinton, in Hickman county."

43. An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, in the town of Danville, Boyle county, or within two miles of the limits thereof.

44. An act to regulate the voting of stock in Mayslick and Mill Creek Turnpike Road.

45. An act to amend an act, entitled "An act to incorporate the Lancaster Cemetery Company," approved December 15, 1863, increasing the powers and duties of the trustees of the company.

46. An act to prohibit the sale of spirituous, vinous and malt liquors, in Pulaski county, and to provide for a vote thereon.

47. An act to prohibit the sale, barter and traffic of spirituous, vinous and malt liquors in Henderson county.

48. An act authorizing the voters of Grant county to vote, September 20, 1886, on the proposition as to whether or not

spirituous, vinous or malt liquors, or any mixture thereof, may be sold in Grant county as a beverage.

49. An act to prevent the sale of spirituous, vinous or malt liquors, or a mixture of either, in any quantities within two miles of Green's Chapel Church, in Hart county.

50. An act authorizing the voters of Montgomery county to vote on the proposition as to whether or not spirituous, vinous or malt liquors shall be sold in said county.

51. An act to prohibit the sale of liquors within one mile of the church, in the town of Claysville, in Webster county.

52. An act to prohibit the sale of any spirituous, vinous or malt liquors, or mixtures thereof, within school district No. 9, in Garrard county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Federal Relations; the 2d, 6th, 10th, 11th, 16th, 20th, 24th, 25th, 27th, 29th, 32d, and 44th to the Committee on Internal Improvements; the 4th, 19th, 31st and 48th to the Committee on the Judiciary; the 5th, 14th, 17th, 36th and 47th to the Committee on Propositions and Grievances; the 7th, 8th, 9th, 12th, 13th, 23d and 33d to the Committee on Agriculture and Manufactures; the 15th, 21st, 22d, 35th, 37th, 38th, 39th, 40th, 41st, 42d, 43d, 46th, 49th, 50th, 51st and 52d to the Committee on Religion and Morals; the 18th and 26th to the Committee on General Statutes; the 28th and 30th to the Committee Corporate Institutions; the 34th to the Committee on Finance, and the 45th to the Committee on Public Expenditures,

And the third-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Harris, from the Committee on Internal Improvements—

A bill to amend an act to incorporate the Economic Heating Company.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to amend the charter of the Newport and Dayton Street Railway Company.

By Mr. Hill, from the Committee on Banks and Insurance—

A bill to amend an act, entitled "An act to incorporate the American Accident Company," approved March 23, 1886.

By Mr. Alford, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act incorporating the John C. Breckinridge Monument Association," approved February 23, 1876, and an act to aid in the erection of a monument over the grave of John C. Breckinridge, approved March 11, 1878.

By same—

A bill to amend section 456, Civil Code of Practice, so far as it applies to Fayette county.

By Mr. Burnett, from the Committee on General Statutes—

A bill to incorporate the Central Jellico Coal Company.

By Mr. Martin, from the Committee on the Judiciary—

A bill for the benefit of the administrator of B. F. Pullen, deceased, late Sheriff of Bourbon county.

By same—

A bill to amend an act, entitled "An act to regulate the management of turnpike roads in Robertson and Nicholas counties," approved March 10, 1886.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to incorporate the Kentucky State Horticultural Society.

By Mr. Albritton, from the same committee—

An act to incorporate the Laurel County Fair Company.

By same—

An act to authorize the sale of the Payne's Depot and Mt. Vernon Turnpike Road, in Scott and Woodford counties.

By Mr. Sparks, from the same committee—

An act to prohibit horses, mules and hogs from running at large on turnpike roads in Bath county.

By Mr. Price, from the Committee on Claims—

An act for the benefit of W. B. Edwards, of Hart county.

By Mr. Hill, from the Committee on Courts of Justice—

An act to amend the charter of the town of Lewisburg, in Logan county.

By Mr. Simon, from the Committee on Executive Affairs—

An act to incorporate Labor Exchange, Falmouth.

By Mr. Harris, from the Committee on Internal Improvements—

An act to incorporate the Silver Crown Mining, Manufacturing and Lumber Company.

By Mr. Berry, from the Committee on Education—

An act for the benefit of school district No. 83, Pulaski county.

By same—

An act for the benefit of common school district No. 12, in Taylor county.

By same—

An act to amend the second section of an act, entitled "An act to incorporate Blandville College, Ballard county," approved January 22, 1866.

By same—

An act for the benefit of school district No. 9, in Nelson county.

By same—

An act for the benefit of E. S. Vance, of Simpson county.

By Mr. Caudill, from the same committee—

An act to organize, supervise and maintain a common school district No. 49, on John's creek, in Pike county.

By same—

An act to establish, supervise, organize and maintain the Stone Coal graded common school, in district No. 2, in Pike county.

By Mr. Burnett, from the Committee on General Statutes—

An act to repeal chapter 198, of the Acts of 1884.

By same—

An act changing the boundary line between the Hardinsburg and Bewleyville and Union Star and Bewleyville Justices' Districts, of Breckinridge county, and to change the voting place thereof.

By Mr. Sparks, from the Committee on Immigration and Labor—

An act to change the voting place in Justices' District No. 2, usually called the Millville precinct, in Woodford county.

By Mr. Martin, from the Committee on the Judiciary—

An act to reduce and define the boundary of the town of Morehead, in Rowan county, Kentucky.

By same—

An act for the benefit of school district No. 18, in Kenton county.

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act for the benefit of H. McHargue, of Pulaski county.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous or malt liquors in the New Liberty election precinct, in Owen county.

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors within one-mile of Yellow Creek school-house, in Daviess county.

By same—

An act to prohibit the sale of spirituous, vinous and malt

liquor within two miles of Oregon Ferry, on the Kentucky river, in Woodford and Mercer counties.

By same—

An act to prohibit the sale of spirituous, vinous and malt liquors within a radius of four miles of New Bethel Church, in Logan county.

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors or any mixture thereof within one and one-half miles of the Christian Church in the town of Crittenden, in Grant county.

By same—

An act to prohibit the sale of spirituous, vinous and malt liquors within one and one half-miles of the Corinth Academy, in Grant county.

By same—

An act to prohibit the sale, barter and traffic in spirituous, vinous or malt liquors in Webster county.

By same—

An act to prohibit the sale or vending of spirituous, vinous or malt liquors within one mile of St. Marks, in McLean county.

By same—

An act to prohibit the sale of intoxicating liquors in the town of Ceralvo, Ohio county.

By same—

An act to amend the charter of the town of Allensville, Todd county, approved January 30, 1867.

By Mr. Taulbee, from the same committee—

An act to regulate the sale of spirituous, vinous or malt liquors in the county of Henry.

By Mr. Berry, from the Committee on Education—

An act to incorporate Maple Hill Female College, in Grant county.

By Mr. Martin, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the town of Flemingburg, Fleming county, Kentucky," approved April 29, 1880.

By same—

An act to incorporate the North Kentucky Natural Gas and Fuel Company.

By Mr. Simon, from the same committee—

An act to amend an act, entitled "An act to provide for liens for labor men and supply men," approved March 20, 1876.

With amendments to the four last-named bills.

Which were adopted.

Ordered, That said bills, the four last named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act authorizing the trustees of the M. E. Church, in Vanceburg, Kentucky, to convey lot 48 in said city to T. M. Gaines, S. Rugless, B. W. Parker, Alfred Harrison and S. B. Piercel;

An act to change a portion of the line between the counties of Woodford and Fayette, so that the residence of John W. McIlvain shall be included in Woodford county;

An act to incorporate the town of Van Buren, in Anderson county;

An act to amend an act, entitled "An act to incorporate the Knights of Honor Temple Company, at Louisville," approved February 20, 1884;

An act authorizing the Chicago, St. Louis and New Orleans Railroad Company to build a branch railroad;

An act to incorporate the Fireman's Benevolent Association, of Louisville;

An act to authorize County Courts to appoint special administrators for the collection and distribution of French and Spanish spoliation claims;

And enrolled bills which originated in the Senate of the following title, viz:

An act to authorize certain persons to convey a certain tract of land in Larue county, and invest the proceeds in other land to be used as a public burying-ground at Big Spring Church, in Larue county, Ky ;

An act to prohibit the sale of spirituous, vinous and malt liquors on election days in Owen county ;

An act to amend an act providing for the improvement of the Fountain Ferry Road, in Jefferson county, from the western boundary of the city of Louisville to the bank of the Ohio river, at the cost of the property benefited thereby, approved April 21, 1882 ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Frederick, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to amend chapter 522, of the Session Acts of 1849 and 1850,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Highland Street Railway Company of the cities of Newport and Dayton and the town of Bellevue, in Campbell county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third

reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Worthington, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of the Coroners of this Commonwealth," approved May 5, 1880,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Frederick, from the Committee on Agriculture and Manufactures, to whom was recommitted a bill from the House of Representatives, entitled

An act to incorporate the town of South Louisville, in Jefferson county,

Reported the same with an amendment.

Which was adopted.

Mr. J. R. W. Smith moved an amendment to said bill.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. Hays moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Hays moved the following resolution, viz:

Resolved by the Senate, That it shall be the duty of the Clerk when reporting bills from the House to give the number and then the title of the bills.

Which was twice read, and adopted.

Mr. Hill, from the Committee on Courts of Justice, to whom

was referred a bill from the House of Representatives, entitled An act to create a Common Pleas Court in the counties of Bourbon, Clark, Madison, Bath and Montgomery,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a court of justice, to be known as the Common Pleas Court, is hereby established in the counties of Bourbon, Clark, Madison, Bath and Montgomery.

§ 2. On the first Monday in August, 1886, and on the same day every sixth year thereafter, an election shall be held in the said counties for the election of a Judge of said court, who shall enter upon his office on the second Monday thereafter, and continue in office for six years, and receive the same salary allowed by law to the Judge of a Circuit Court, and payable in the same manner, and the election provided for in this section shall be conducted in all respects as are elections for Judges of Circuit Courts.

§ 3. All the provisions of sections 5, 7, 8 and 9, of article 10, of chapter 28, of the General Statutes are hereby re-enacted and applied to the court created by this act, and the Judge thereof as fully and in the same manner as the same are made applicable by the said sections to the courts provided for in said article.

§ 4. All the laws of this State in relation to the appointment of Master Commissioner, Special Commissioners and Receivers by Circuit Courts, and their duties and responsibilities are hereby made applicable to the court created by this act.

§ 5. The terms of said court shall be as follows, viz:

In Bath, first Monday in May in each year, to continue (12) twelve juridical days, and first Monday in November in each year to continue (18) eighteen juridical days.

In Bourbon, third Monday in February and fourth Monday in November in each year, each term to continue eighteen (18) juridical days, and third Monday in May in each year, each term to continue twelve (12) juridical days.

In Clark, fourth Monday in January in each year, each term to continue eighteen (18) juridical days, and the fourth Monday in June and first Monday in September in each year, each term to continue (12) juridical days.

In Madison, first Monday in January and June in each year, each term to continue eighteen (18) juridical days, and third Monday in October in each year, each term to continue twelve (12) juridical days.

In Montgomery, third Mondays in March and September in each year, each term to continue eighteen (18) days.

§ 6. Said court shall also have power to hold special terms in either of said counties for the trial of common law and equity causes, which terms may be called in the manner provided by law in relation to special terms of Circuit Courts, and it shall be the duty of the Judge to hold such special terms whenever the business in any county may require it.

§ 7. The Circuit Clerk of each county aforesaid shall docket for trial in this court all the causes and proceedings pending on the first Monday in July, 1886, in the Court of Common Pleas heretofore established by law in said counties, and said causes and proceedings shall stand for trial and be tried as if originally brought in this court.

§ 8. When there are cases pending in the Circuit Court and also in the Common Pleas Court in the same county affecting the same property, or the rights of the same parties in regard to the same subject-matter, all these cases may be transferred to either court, and the order for their transfer may be made by either court, and whenever in the opinion of the Judge of the Common Pleas Court or of the Judge of the Circuit Court in any of the counties named in this act, it is necessary or proper either for the just or equitable distribution of business between the said courts, or for the purpose of effecting a more speedy determination of the issues in said causes, the Judge of the Circuit Court may transfer any civil cause or causes pending in his court to the Common Pleas Court in the same county, and the Judge of the Common Pleas Court may transfer any cause or causes pending in his court to the Circuit Court in the same county, and the ruling of any Judge in making said transfer shall not be subject to exception, and whenever any such transfer is made the cause shall be docketed in the court to which it is transferred, and proceed to trial as if originally instituted in the court to which it may be transferred.

§ 9. The Judge of the Common Pleas Court shall have the same power to grant injunctions and issue and try writs of *habeas corpus* as Circuit Judges have by law.

§ 10. The same laws applicable to special Circuit Judges, are hereby made to apply to special Judges of the Common Pleas Court.

§ 11. Such of the provisions of an act of the General Assembly, approved May 3, 1880, entitled "An act to regulate criminal and civil procedure in the Tenth Judicial District," and of all amendments thereto, as relate to civil causes and procedure, are hereby re-enacted and made applicable to the Court created by this act.

§ 12. All acts creating or providing for a Court of Common Pleas in the counties of Bourbon, Clark, Madison, Bath and Montgomery heretofore enacted, are hereby repealed as far as they apply to said counties; but are not to be changed in any respect by this act in their application to the counties of Fayette, Scott, Woodford, Franklin and Jessamine.

§ 13. This act shall take effect and be in full force and effect on the first day of July, 1886.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	R. G. Hays,	J. T. Simon,
J. W. Bryan,	S. E. Hill,	D. H. Smith,
W. J. Caudill,	H. T. Kendall,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
Henry Dixon,	J. H. McDanell,	R. S. Triplett,
W. H. Frederick,	J. W. Ogilvie,	E. L. Worthington,
T. S. Grundy,	J. N. Price,	J. H. Wilson—23.
J. D. Harris,	F. D. Rigney,	

Those who voted in the negative, were—

F. M. Clement, W. F. Neat—2.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to establish and incorporate a public library in the city of Paducah.

An act incorporating the Boys' Home Society, of Louisville.

An act to enable and empower the Paducah public school board to sell, lease or alter the University building in said city.

An act to prohibit the sale of spirituous, vinous and malt liquors in Clinton, Metcalfe and Monroe counties.

An act to change the name of the South Carrollton Male and Female Institute to the West Kentucky Classical and Normal College, and regulate the course of study for teachers therein.

An act to amend an act, entitled "An act for the benefit of licensed keepers of stud-horses, jacks and bulls of this Common-

wealth," approved February 11, 1876, so far as the same applies to Warren county.

An act for the benefit of the branch Penitentiary, at Eddyville.

An act to amend an act, entitled "An act to incorporate the Central University."

An act to amend an act, entitled "An act to incorporate the Louisville Abstract and Loan Association, of Louisville."

An act for the benefit of colored common schools of Pike county, and to authorize the Superintendent and Board of Examiners of common schools of Pike county to issue special license to persons to teach colored common schools of said county.

An act for the benefit of J. W. Forbes, teacher of common school district No. 61, in Henry county, for years 1883–84.

An act to amend title 19, chapter 4, of the Code of Practice in civil cases.

An act to allow Jno. B. Spencer, Sheriff of Lawrence county, further time in which to give revenue bond.

An act to change the boundary line of school district No. 43, in Clark county, so as to include certain farms now in school district No. 51, in said county.

An act to incorporate the Mt. Sterling Music College, of the city of Mt. Sterling.

An act to amend an act, entitled "An act to revise and amend the charter of the city of Dayton, Campbell county," approved March 7, 1876.

An act to empower Logan county to retire the bonded indebtedness of the county at or before maturity, to create a sinking fund for that purpose, to provide for commissioners of the sinking fund and collectors of taxes levied, and to prescribe the duties and powers of said officers.

An act to repeal an act, entitled "An act regulating the pay of the Sheriff of Floyd county."

An act to amend the charter of the town of Ghent.

An act to amend an act, entitled "An act to amend and reform the common school laws of this Commonwealth for the purpose of providing for the monthly payment of the wages of teachers of the common schools."

An act changing the county line between the counties of Morgan, Menifee, Wolfe and Breathitt.

An act for the benefit of common school district No. 60, in Lincoln county.

An act to amend an act, entitled "An act for the benefit of certain common school districts in Boyle and Mercer counties," approved February 25, 1854, and to provide a trustee for a portion of the Hart fund mentioned therein.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for organizing and establishing a system of public schools, in Winchester,'" approved May 8, 1884.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for organizing and establishing a system of public schools in Winchester,'" approved April 24, 1882.

Mr. Alford, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill for the protection of hotel-keepers,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Triplett,

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Tuesday, April 13th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Price, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of C. B. Fox, of Clark county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read the third time as follows, viz:

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the Auditor is hereby directed to draw his warrant upon the Treasurer for the sum of $143.10, in

favor of C. B. Fox, of Clark county, being amount of claim against the Commonwealth presented by said Fox, then Sheriff of Clark county, in the Clark Circuit Court, at its November term, 1884, which said claim was allowed and so reported on list of claims, but has been misplaced and can not be found.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	T. S. Grundy,	F. D. Rigney,
M. C. Alford,	J. D. Harris,	J. T. Simon,
J. W. Bryan,	S. E. Hill,	D. H. Smith,
R. A. Burnett,	H. T. Kendall,	J. R. W. Smith,
W. J. Caudill,	L. M. Martin,	E. R. Sparks,
C. M. Clay, Jr.,	J. H. McDanell,	W. H. Taulbee,
F. M. Clement,	L. W. McKee,	R. S. Triplett,
Henry Dixon,	W. F. Neat,	E. L. Worthington,
W. H. Frederick,	J. W. Ogilvie,	J. H. Wilson—29.
G. G. Gilbert,	J. N. Price,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. D. H. Smith presented the petition of sundry citizens of Millerstown, in Grayson county, praying for the passage of a bill to prohibit the sale of liquor in said town.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

Mr. Berry, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Summer Shade Institute, in Metcalfe county,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

Mr. Caudill, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of the office of Superintendent of Public Instruction,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, It is impossible for the Superintendent of Public Instruction, with the same limited clerical force employed in 1874, to comply with the legal demands for statistical and other important information, and keep up the regular and imperative routine work of the office which has been increasing yearly; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of one thousand dollars be, and is hereby, appropriated out of the school fund proper for the present and for each successive school year, for the payment of such extra clerical force as may be necessary to employ in accomplishing promptly the full measure of the work required in the office of the Superintendent.

§ 2. A part of the appropriation for the present school year may be applied to the payment of extra clerical labor already performed for said office.

§ 3. This act shall take effect and be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	L. W. McKee,
A. S. Berry,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	J. D. Harris,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	W. H. Taulbee,
W. J. Caudill,	H. T. Kendall,	R. S. Triplett,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
Henry Dixon,	J. H. McDanell,	J. H. Wilson—21.

Those who voted in the negative, were—

R. T. Albritton,	S. E. Hill,	J. W. Ogilvie,
F. M. Clement,	W. F. Neat,	D. H. Smith—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Martin, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

An act to quiet land titles in this Commonwealth,

Reported the same with an amendment as a substitute therefor.

Ordered, That the further consideration of said bill and proposed amendment be postponed, and that said proposed amendment be printed and with the bill made the special order of the day for Wednesday, April 14th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to prohibit certain trespasses to personal property in Kenton and Campbell counties,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

Mr. Martin, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to declare void certain endorsements heretofore erroneously made on certain warrants on file in the Land Office, and to authorize patents to be issued on said certificates of survey,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be placed in the orders of the day.

Mr. Simon, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to provide for the working of persons committed to the custody of the Jailer of Green county,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to provide for the working of persons convicted of a misdemeanor and sentenced to imprisonment in Green county.

Mr. Price, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of H. C. Bowman, Jailer of Bullitt county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Simon moved an amendment to said bill.

Which was rejected.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, H. C. Bowman, Jailer of Bullitt county, did, on the twenty-third of December, 1884, arrest and carry to Henderson, one Lee Taylor, a fugitive from justice, charged with the murder of Wm. Winfrey; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, The Auditor of Public Accounts shall draw his warrant on the Treasury in favor of H. C. Bowman for the sum of fifty dollars, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Simon and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	J. R. W. Smith,
A. S. Berry,	H. T. Kendall,	E. R. Sparks,
Henry Dixon,	L. W. McKee,	R. S. Triplett,
W. H. Frederick,	J. N. Price,	E. L. Worthington,
R. G. Hays,	D. H. Smith,	J. H. Wilson—15.

Those who voted in the negative, were—

R. A. Burnett,	G. G. Gilbert,	W. F. Neat,
W. J. Caudill,	T. S. Grundy,	J. T. Simon,
C. M. Clay, Jr.,	J. H. McDanell,	W. H. Taulbee—10.
F. M. Clement,		

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the motion heretofore entered by Mr. Price to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to regulate the sale of lightning-rods in this Commonwealth.

On motion of Mr. Hays,

Ordered, That the further consideration of said bill be postponed and made the special order of the day for Tuesday, April 13th, at 11 o'clock A. M., and from day to day until disposed of.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to permit defendants in all penal and criminal prosecutions to testify.

On motion of Mr. Worthington,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday, April 16th, at 11 o'clock A. M., and from day to day until disposed of.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Gilbert—

1. A bill to amend an act to incorporate the Economic Heating Company.

On motion of Mr. Hays—

2. A bill providing a mode for the sale of certain poisonous medicine in Kentucky by druggists and other dealers in medicine.

On motion of Mr. Berry—

3. A bill to authorize the Greenup County Court to subscribe to the capital stock of the Maysville and Big Sandy Railroad Company.

On motion of Mr. Hays—

4. A bill for the benefit of John Beaumaster, of Louisville.

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st; the Committee on Courts of Justice the 2d and 4th; and the Committee on Railroads the 3d.

On motion of Mr. Martin, the Senate then adjourned.

SATURDAY, APRIL 10, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous or malt liquors at or within one mile of Pinkard school-house, in Woodford county.

An act to authorize the Bullitt County Levy Court to issue county bonds for the purpose of constructing certain turnpike roads, in said county, and to levy a tax to pay off said bonds and interest thereon.

An act to incorporate the town of Dowling, in Anderson county.

An act to amend an act, entitled "An act to amend and reduce into one all the acts and laws in relation to the town of Trenton, in Todd county," approved March 24, 1884.

An act to repeal so much of an act for the benefit of certain County Clerks of this Commonwealth as applies to Logan county.

An act to prohibit the sale, loan, barter or traffic in spirit-

uous, vinous or malt liquors, in the county of Todd, and to submit the question to the people.

That they had passed a bill and adopted a resolution of the following titles, viz:

1. An act to amend the charter of the town of Lawrenceburg.

2. Resolution in relation to convict labor.

Which bill and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the bill to the Committee on Military Affairs, and the resolution to the Committee on Penitentiary and House of Reform.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous or malt liquors in Grayson county.

An act to prohibit the sale of spirituous, vinous or malt liquors in the first and second magisterial districts of Shelby county.

An act to prohibit the sale, barter and traffic in spirituous, vinous and malt liquors in Christian county.

An act to prohibit the sale of spirituous, vinous and malt liquors on election days in Owen county.

An act to establish a system of common schools in the town of Dixie, in Henderson county.

An act to authorize certain persons to convey a certain tract of land in Larue county, and invest the proceeds in other land to be used as a public burying-ground at Big Spring Church, in Larue county, Ky.

An act to amend an act providing for the improvement of the Fountain Ferry Road, in Jefferson county, from the western boundary of the city of Louisville to the bank of the Ohio river, at the cost of the property benefited thereby, approved April 21, 1882.

An act to incorporate the Sulphur Natural Gas, Fuel, Light and Salt Company, of Sulphur.

An act for the benefit of the John N. Norton Memorial Infirmary.

On motion of Mr. Simon,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to provide for liens for labor men and supply men," approved March 20, 1876.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Simon moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Taulbee, from the Committee on Federal Relations, to whom was referred a joint resolution which originated in the House of Representatives, entitled

Resolution authorizing loaning of cannon to Confederate Re-union Association, at Cynthiana,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Worthington, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to prohibit the manufacture or sale of spirituous, vinous and malt liquors within two miles of the school-house in district No. 54, in Barren county,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to incorporate the Summer Shade Institute, in Metcalfe county.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to prohibit certain trespasses to personal property in Kenton and Campbell counties.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the sale, barter or traffic in spirituous, vinous or malt liquors in any quantity whatever, or for any purpose whatever, in Hart county.

By Mr. Taulbee, from the same committee—

An act to provide for the sale of New Bethel Church, in McCracken county, and to re-invest proceeds.

By same—

An act to repeal an act of March 29, 1878, prohibiting the granting of license to sell and tipple spirituous, vinous and malt liquors in Fulton county, so far as said act relates to the city of Hickman, and to provide for a vote in said city whether such license shall be granted there, and to regulate license tax therein.

By Mr. McDanell, from the same committee—

An act to prohibit the sale of spirituous, vinous and malt liquors in Spencer county.

By same—

An act to prohibit the sale, barter, loan or traffic in spirituous, vinous or malt liquors in Boone county.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the acts relating to the town of Russellville," approved May 1, 1880.

By same—

An act to incorporate the Burlington Cemetery Company.

By same—

An act to prohibit the manufacture and sale of spirituous, vinous and malt liquors, or mixture of either, within one and one-half miles from any church or house used by any congregation or denomination in which people assemble to worship God, in Laurel county.

By Mr. Worthington, from the same committee—

An act changing the corporate limits of the town of Mayslick, in Mason county.

By same—

An act to authorize the people of Lincoln county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquor in said county.

By same—

An act prohibiting the sale of spirituous, vinous or malt liquors in the Walton precinct, in Boone county.

By Mr. Berry, from the Committee on Education—

An act to establish a public school in Morganfield, in Union county.

By Mr. D. H. Smith, from the Committee on General Statutes—

An act to repeal chapter 916, volume 2, 1881, pages 329, 330 and 331, approved April 8, 1882.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to amend the charter of the Goshen and Sligo Turnpike Road Company.

By same—

An act to repeal an act, entitled "An act to incorporate the Fourth Avenue Turnpike Company," approved February 27, 1882.

By same—

An act to prevent hogs running on the public roads in the voting precinct of Pitt's Point, Bullitt county.

By Mr. Neat, from the same committee—

An act for the benefit of Pleasant Bartley, of Pike county.

By same—

An act to amend an act to charter the Owingsville and Wyoming Turnpike Road," approved March 2, 1867.

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act declaring Chestnut creek, in Johnson county, a navigable stream.

By Mr. Hill, from the Committee on Courts of Justice—

An act to incorporate the Muhlenberg County Telephone Company.

By Mr. Martin, from the Committee on the Judiciary—

An act to repeal an act to change the road law in Robertson county, approved January 27, 1876, and to restore chapter 94, of the General Statutes, in said county.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to incorporate the Fourth Avenue Park Turnpike Company, in Jefferson county.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to incorporate the Madison and South-eastern Railway Company.

By Mr. McDanell, from the Committee on Religion and Morals—

A bill to incorporate the Caney Fork Baptist Church, in Owen county.

By Mr. Berry, from the Committee on Education—

A bill to regulate the holding of Coroner's inquests in Campbell county.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to authorize Greenup county to subscribe to the capital stock of the Maysville and Big Sandy Railroad Company.

By Mr. J. R. W. Smith, from the Committee on Charitable Institutions—

A bill to amend an act, entitled "An act to incorporate the Board of Managers of the Louisville House of Refuge," and the amendments thereto.

By Mr. D. H. Smith, from the Committee on General Statutes—

A bill in relation to the town of Conner, in Hart county.

Which bills were read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to create a Common Pleas Court in the counties of Bourbon, Clark, Madison, Bath and Montgomery;

An act to establish a Board of Commissioners for Floyd county, and to define their duties and the duties of other county officers whose duties are connected with the duties of said Commissioners;

An act to repeal an act, entitled "An act to authorize a certain defined portion of Jessamine county to subscribe to the capital stock of the Sugar Creek and Watt's Mill Turnpike Road Company," approved May 1, 1884;

An act to amend an act, entitled "An act to charter the Eddyville Male and Female Academy, in Lyon county," approved March 5, 1872, and providing for the election of a school board, and for a vote upon a school tax;

An act to incorporate the Young Men's Mutual Life Association, of Kentucky;

An act in relation to the time of holding the Common Pleas Court in Jessamine county ;

An act to establish a voting place in Graves county, at Hickory Grove ;

An act to establish the line between Breckinridge and Hancock counties ;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to amend the charter of the Blue Bank and Bell Grove Spring Turnpike Road ;

An act to amend an act to amend an act to incorporate the General Association of Colored Baptists of Kentucky, approved April 8, 1884 ;

An act to amend an act, entitled "An act to prohibit the sale, loan or gift of spirituous, vinous or other intoxicating liquors within one mile of the South Elkhorn Christian Church, at the village of South Elkhorn, in Fayette county, and within one mile of the South Elkhorn Baptist Church, at the village of Slickaway, in said county," approved February 11, 1882 ;

An act to prevent the selling, bartering, exchanging or trafficking in spirituous, vinous or malt liquors, or any mixture thereof, in the Canton voting precinct, in Trigg county ;

An act to incorporate the Cheese Lick, Dugansville, and Barnettown Turnpike Road Company ;

An act to incorporate the Elkhorn High School, of Taylor county ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Worthington, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to repeal chapter 1445 of an act, entitled "An act to amend an act to prohibit the sale of spirituous, vinous and

malt liquors in the counties of Laurel, Rockcastle, Jackson, Owsley and Clay," approved April 4, 1884,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to repeal an act, entitled "An act to amend an act to prohibit the sale of spirituous, vinous and malt liquors in the counties of Laurel, Rockcastle, Jackson, Owsley and Clay," approved April 4, 1884.

Mr. Worthington, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in two miles of Pleasant Point Church, in Lincoln county,"

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to amend an act to incorporate Tunnel City, in Lincoln county, Kentucky, approved March 20, 1878.

Mr. Dixon, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Theodore Herman Schmelzpfenning, of Henry county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Theodore Herman Schmelzpfenning, a German citizen of Henry county, Kentucky, has taken out naturalization papers and permanently located in this State; and whereas,

he finds great difficulty and is subjected to great annoyance and embarrassment by not being able to make people understand his name, and asks the Legislature to pass an act changing his name, dropping the name of his father and allowing him to retain the name of his grandfather on his mother's side, to wit: Theodore Herman; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Theodore Herman Schmelzpfenning be, and the same is hereby changed to Theodore Herman, leaving off the Schmelzpfenning, and he shall hereafter be known as Theodore Herman, and his acts under that name shall be legal and binding.

§ 2. This act to take effect from and after its passage.

Mr. J. R. W. Smith moved to lay said bill on the table.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Bryan, were as follows, viz:

Those who voted in the affirmative, were--

A. S. Berry, W. M. Cravens, W. H. Frederick—3.

Those who voted in the negative, were—

Henry Dixon,	L. W. McKee,	J. R. W. Smith,
S. E. Hill,	J. N. Price,	E. L. Worthington,
L. M. Martin,	J. T. Simon,	W. H. Taulbee—11.
J. H. McDanell,	D. H. Smith,	

Mr. Dixon, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act to prohibit the sale, barter and traffic of spirituous, vinous and malt liquors in Henderson county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Dixon moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Bryan moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Frederick, from the Committee on Agriculture and Manufacture, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the charter of the town of New Castle, and reduce into one the amendments thereto," approved March 25, 1882,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Cravens moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. J. R. W. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Bryan, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," approved April 4, 1884,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Bryan moved to reconsider the vote by which the Senate had discharged the committee from the further consideration of said leave.

Mr Simon moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, April 10, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

Joseph C. Hemingray, Jefferson county.
Robert J. Elliott, Jefferson county.
John D. Wickliffe, Nelson county.
William Tuohy, Nelson county.
Paul Cain, Jefferson county.
John H. Crain, Anderson county.
Walter Cleary, Kenton county.
J. O. Miller, Montgomery county.
John B. Chenault, Madison county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Thos. J. Hall, Justice of the Peace in the Pleasureville magisterial district, in Henry county,

Reported the same without amendment.

Mr. Cravens moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. Hill, from the Committee on Courts of Justice, to whom was recommitted a bill, entitled

An act to incorporate the Kentucky Natural Gas and Fuel Company,

Reported the same with an amendment.

Which was adopted.

Mr. J. R. W. Smith moved an amendment to said bill.

On motion of Mr. Berry,

Ordered, That said bill and proposed amendment thereto be recommitted to the Committee on Courts of Justice.

On motion of Mr. Kendall, leave of absence, indefinitely, was granted Messrs. Triplett, Bush, Rigney and Alford.

On motion of Mr. Taulbee,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the disagreement by the Senate to a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to create the office of road commissioner, in Johnson county, and to provide for the appointment of the same."

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Taulbee moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

Mr. Hays, from the Committee on Finance, to whom was recommitted a joint resolution, entitled

Resolution creating revenue commission,

Reported the same with the expression of opinion that said resolution ought not to be adopted.

And the question being taken on the adoption of said resolution, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said resolution was rejected.

Mr. Hays, from the Committee on Finance, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of Grayson county,

Asked to be discharged from the further consideration of said leave.

Which was granted.

Mr. Hays moved to reconsider the vote by which the Senate had discharged the committee from the consideration of said leave.

Which motion was simply entered.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Neat—

1. A bill prescribing the manner in which certain lands belonging to the border counties in the State of Kentucky, south of Walker's line, and north of latitude thirty-six degrees and thirty minutes in the State of Tennessee, shall be entered, surveyed and carried into grant.

On motion of Mr. Berry—

2. A bill to regulate the holding of Coroner's inquests in Campbell county.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, and the Committee on Education the 2d.

On motion of Mr. Simon, the Senate then adjourned.

MONDAY, APRIL 12, 1886.

The reading of the Journal of Saturday was dispensed with.

Mr. J. R. W. Smith, from the Committee on Charitable Institutions, to whom was recommitted a bill, entitled

An act for the benefit of the Central Lunatic Asylum, at Anchorage,

Reported the same without amendment.

On motion of Mr. J. R. W. Smith,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday, April 15th, at 10:50 o'clock A. M., and from day to day until disposed of.

Mr. Frederick, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Springfield, Mackville and Willisburg Turnpike Road Company," chapter 226, approved March 3, 1856,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bryan, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

A bill to incorporate the Kentucky Water, Gas-light and Fuel Company,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Frederick moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Fourth Avenue Park Turnpike Company, in Jefferson county.

Which motion was simply entered.

Mr. Taulbee read and laid on the table a joint resolution, entitled

Resolution directing the construction of an iron railing on the steps on west side of State-house.

Which, under the rule, lies over one day.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, and read as follows, viz:

Resolved by the General Assembly of the State of Kentucky, That the Librarian is hereby directed to have iron railings placed on the steps at the west side of the State-house, in order to protect from injury persons in passing to and from the building; and when the work is completed, the Auditor shall draw his warrant on the Treasurer for the cost of the work.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Taulbee—

1. A bill for the benefit of Thomas H. May, of Magoffin county.

On motion of Mr. Kendall—

2. A bill to prevent the sale of spirituous, vinous or malt liquors, or any mixture thereof, within two miles of the State Capitol Building at Frankfort.

Ordered, That the Committee on Claims prepare and bring in the 1st, and the Committee on Religion and Morals the 2d.

Mr. Bryan moved that the Senate do now adjourn until 7:30 P. M.

And the question being taken thereon, it was decided in the negative.

On motion of Mr. D. H. Smith, the Senate then adjourned.

TUESDAY, APRIL 13, 1886.

The Journal of yesterday was read and approved.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution which originated in the House of Representatives, of the following titles, viz:

An act authorizing the trustees of the M. E. Church in Vanceburg, Kentucky, to convey lot 48 in said city to T. M. Gaines, S. Rugless, B. W. Parker, Alfred Harrison and S. B. Piercel.

An act to change a portion of the line between the counties of Woodford and Fayette, so that the residence of John W. McIlvain shall be included in Woodford county.

An act to incorporate the town of Van Buren, in Anderson county.

An act to amend an act, entitled "An act to incorporate the Knights of Honor Temple Company, at Louisville," approved February 20, 1884.

An act to authorize County Courts to appoint special administrators for the collection and distribution of French and Spanish spoliation claims.

An act to amend the charter of the Chesapeake and Nashville Railway Company.

An act to incorporate the Fireman's Benevolent Association, of Louisville.

An act to amend an act, entitled "An act to incorporate the town of Camdensville, in Anderson county, and to change the name of said town from Camdensville to Orr."

An act to prohibit the sale of spirituous, vinous or malt liquors at Mount Herman Church, in Todd county, or within two miles thereof.

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in the town of Elkton, Todd county, and within one mile of the corporate limits thereof," passed March 6, 1882.

An act to grant the consent of the State of Kentucky to the acquisition by the United States of lands within the city of Owensboro, for the purpose of erecting public buildings, and ceding to the United States jurisdiction over the same.

An act to repeal an act, entitled "An act to incorporate the Middleburg Seminary, in Casey county," approved April 27, 1880.

An act to authorize the trustees of common school district No. 25, in Fleming and Bath counties, to levy and collect a tax for the benefit of the common school property in said district.

An act regulating the transfer of causes and appeals to and from the several courts of Kenton county.

An act to authorize the Daviess County Court to levy an additional tax for ordinary purposes.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869.

An act authorizing the Chicago, St. Louis and New Orleans Railroad Company to build a branch railroad.

An act to amend an act, entitled "An act to prevent the selling, giving or loaning spirituous, malt or vinous liquors within the town of Allensville, or within three miles of the corporate limits thereof, in Todd county."

An act creating an additional voting place, in Breckinridge county.

An act to incorporate the Board of Trustees for disabled Protestant Episcopal Clergy, and for widows and orphans of deceased Protestant Episcopal Clergymen, of the Diocese of Kentucky.

An act to repeal an act, entitled "An act to amend the charter and amendments thereto of the Deposit Bank of Glasgow," approved January 24, 1874, and to repeal an act, entitled "An act to amend the several acts incorporating the Deposit Bank of Glasgow," approved January 31, 1882.

An act to amend the charter of the Louisville City Railway Company.

An act to incorporate the Richmond Natural Gas Light, Motive Power and Fuel Company.

An act, entitled "An act to revise and amend and reduce into one the charter and various amendments relating to the town of South Carrollton, in Muhlenberg county."

An act to incorporate and establish a system of public schools in the town of Russellville, and within a radius of three miles of the court-house in said town.

An act to amend an act, entitled "An act to provide for the assessment and collection of a tax upon distilled spirits," approved April 21, 1882.

An act fixing the times for holding the McLean County Courts.

Resolution asking our Representatives in Congress to use their influence in aid of the passage of a bill pending in Congress to establish a system of signal service throughout the United States.

That they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to authorize and empower the County Court of Martin county to issue the bonds of said county to pay for the right of way of the Chattaroi Railway Company through said county.

An act to incorporate the town of Stinnett, in Anderson county.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to establish a State Board of Health."

An act to incorporate the Ohio, Kentucky and Virginia Railway Company.

That they had passed bills of the following titles, viz:

1. An act to protect fish and game in the counties of Ballard and Carlisle.

2. An act for the benefit of I. J. Denton, of Grayson county.

3. An act to amend the charter of the Methodist Mutual Aid Association.

4. An act to incorporate the Riverside Turnpike Company.

5. An act to amend an act, entitled "An act for the incorporation and regulation of life insurance companies," approved March 12, 1870.

6. An act to amend an act, entitled "An act to incorporate the Adair County Agricultural Association," approved April 28, 1884.

7. An act for the benefit of the town of Carrollton, and to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Carrollton," approved February 25, 1884.

8. An act to repeal an act, entitled "An act prescribing the manner of selling the sulphate and other preparation of morphine and opium in this State, and for other purposes," approved February 19, 1886, and to prescribe the manner of selling the sulphate and other preparations of morphine in this State.

9. An act to amend the laws in relation to the city of Frankfort.

10. An act to amend the laws for the redemption of lands sold for tax to the State.

11. An act in relation to liens on real estate sold for taxes.

12. An act for the benefit of A. T. Curry, of Green county, Ky.

13. An act to authorize the County Court of Carlisle county to issue bonds for the purpose of building and furnishing a court-house and jail at their county site in said county, and to levy an ad valorem tax to pay the same.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 4th, 6th and 8th to the Committee on Agriculture and Manufactures; the 2d and 12th to the Committee on Claims; the 5th to the Committee on Banks and Insurance; the 7th to the Committee on Courts of Justice; the 9th to the Committee on Military Affairs; the 10th and 11th to the Committee on the Judiciary, and the 13th to the Committee on General Statutes,

And the third-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration the majority and minority reports of the joint advisory committee appointed to investigate the convict labor troubles.

[*For reports, see Senate Journal, March 30th.*]

Mr. McKee moved the following as an amendment to the majority report, viz:

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund, from the report and testimony returned and such other testimony as the lessees may produce or as may be applicable, be requested to ascertain whether any and what violations of the existing contract of lease of the convict labor have occurred, and whether there is any ground for the rescission by them of said contract.

2. That the Commissioners are respectfully requested to communicate their findings and testimony, and to rescind said contract if ground exists.

On motion of Mr. Bryan,

Ordered, That the further consideration of said reports and amendment be postponed for this day.

On motion of Mr. Ogilvie, leave of absence, indefinitely, was granted Mr. D. H. Smith.

Mr. Hays, from the Committee on Finance, to whom was recommitted a bill, entitled

An act in relation to blank books for use in the inferior courts and clerks' offices of this Commonwealth, and to provide for the payment of same,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act the State Treasury shall not be chargeable with the cost of any blank order book, docket book, executing book, bond book, deed book, mortgage book or index to any such book required for use in any Circuit Court, Chancery, Common Pleas Court, Criminal Court, Quarterly Court, County, Police Court or City Court in this Commonwealth, nor for any blank book necessary for use or required by law to be kept by the clerk of any such court, but the expense therefor shall be borne by the counties respectively.

§ 2. It shall be the duty of the several County Levy Courts to make suitable provisions for furnishing all necessary books of the above description for use in the courts and clerks' offices of their respective counties.

§ 3. All laws inconsistent with this act are hereby repealed.

Mr. Feland moved to amend said bill as follows, viz:

Strike out the following words from the first section of the bill: "Circuit, Chancery Court, Common Pleas Court, Criminal Court," and insert, after the words "County Court" in said section, the words "Justices' Courts."

Mr. Wallace moved that the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Saturday, May 8, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers,	R. G. Hays,	J. W. Ogilvie,
W. J. Caudill,	H. T. Kendall,	J. N. Price,
W. M. Cravens,	W. F. Neat,	F. T. D. Wallace—9.

Those who voted in the negative, were—

S. H. Boles,	W. H. Frederick,	J. T. Simon,
W. W. Bush,	G. G. Gilbert,	J. R. W. Smith,
C. M. Clay, Jr.,	S. E. Hill,	W. H. Taulbee,
Henry Dixon,	J. H. McDanell,	R. S. Triplett—14.
John Feland,	L. W. McKee,	

Mr. McKee moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kendall and Bush, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	John Feland,	J. H. McDanell,
J. W. Bryan,	W. H. Frederick,	L. W. McKee,
W. W. Bush,	G. G. Gilbert,	J. W. Ogilvie,
W. J. Caudill,	R. G. Hays,	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	J. R. W. Smith—16.
Henry Dixon,		

Those who voted in the negative, were—

A. R. Byers,	J. N. Price,	R. S. Triplett,
H. T. Kendall,	W. H. Taulbee,	F. T. D. Wallace—7.
W. F. Neat,		

The question was then taken on the amendment proposed by Mr. Feland to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

John Feland,	J. W. Ogilvie,	W. H. Taulbee,
W. H. Frederick,	J. N. Price,	F. T. D. Wallace—8.
R. G. Hays,	J. R. W. Smith,	

Those who voted in the negative, were—

S. H. Boles,	C. M. Clay, Jr.,	J. H. McDanell,
J. W. Bryan,	Henry Dixon,	L. W. McKee,
W. W. Bush,	G. G. Gilbert,	J. T. Simon,
A. R. Byers,	S. E. Hill,	R. S. Triplett—14.
W. J. Caudill,	H. T. Kendall,	

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McKee and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	Henry Dixon,	L. W. McKee,
J. W. Bryan,	John Feland,	J. N. Price,
W. W. Bush,	G. G. Gilbert,	J. T. Simon,
W. J. Caudill,	S. E. Hill,	J. R. W. Smith—14.
C. M. Clay, Jr.,	J. H. McDanell,	

Those who voted in the negative, were—

A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
W. M. Cravens,	W. F. Neat,	R. S. Triplett,
W. H. Frederick,	J. W. Ogilvie,	F. T. D. Wallace—10.
R. G. Hays,		

Resolved, That the title of said bill be as aforesaid.

Mr. Clay moved to reconsider the vote by which the Senate had passed said bill.

Mr. McKee moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Triplett and Neat, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	Henry Dixon,	J. H. McDanell,
J. W. Bryan,	John Feland,	L. W. McKee,
W. W. Bush,	W. H. Frederick,	J. N. Price,
W. J. Caudill,	G. G. Gilbert,	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	J. R. W. Smith—15.

Those who voted in the negative, were—

A. R. Byers,	H. T. Kendall,	R. S. Triplett,
W. M. Cravens,	J. W. Ogilvie,	F. T. D. Wallace—8.
R. G. Hays,	W. H. Taulbee,	

The Senate, according to order, took up for consideration the motion heretofore entered by Mr. Price to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to regulate the sale of lightning-rods in this Commonwealth.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter any and all persons offering to sell or peddle by sample or otherwise lightning-rods within this Commonwealth, shall be required to procure from the Auditor of Public Accounts a license so to do; and the annual fee for such license shall be $250, and the Auditor's receipt shall be evidence of such license, and such license shall, when procured and paid for, entitle such person to three salesmen, who shall have power to act and operate under such license; and for every additional salesman a license fee of $80 shall be paid by such person so offering to sell or peddle; and it shall be the duty of such person to procure for, and the duty of the Auditor to furnish to, each and every such salesman a duplicate of such receipt before either of them shall so sell or offer to sell lightning-rods.

§ 2. The license herein provided for shall be in addition to any license that is now or that may hereafter be required by any county, city or town.

§ 3. Any persons violating the provisions of this act shall, upon conviction, be fined not less than $200 nor more than $500, recoverable in any court of competent jurisdiction.

§ 4. The license herein provided for shall, when so procured, authorize the person so procuring to run and operate one wagon, and for every additional wagon so run and operated by him, he shall pay an additional license fee of $250.

§ 5. This act shall take effect from and after its passage.

Mr. Caudill moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Price to reconsider the vote by which the Senate had passed said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and McKee, were as follows, viz:

C. M. Clay, Jr.,	L. W. McKee,	J. T. Simon,
G. G. Gilbert,	J. N. Price,	W. H. Taulbee—6.

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	W. F. Neat,
W. W. Bush,	R. G. Hays,	J. W. Ogilvie,
A. R. Byers,	S. E. Hill,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	R. S. Triplett,
W. M. Cravens,	J. H. McDanell,	F. T. D. Wallace—16.
John Feland,		

Mr. Caudill, from the Committee on Immigration and Labor, to whom was referred a bill from the House of Representatives, entitled

An act authorizing the voters of Scott county to vote on the last Saturday in September, 1886, on the proposition to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof in Scott county,

Reported the same without amendment.

On motion of Mr. Caudill,

Ordered, That said bill be recommitted to the Committee on Religion and Morals.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Ogilvie—

1. A bill to amend an act, entitled "An act to incorporate the Association of Good Samaritans, in Paducah, McCracken county," approved January 27, 1882.

On motion of Mr. Price—

2. A bill for the benefit of Cowan Station and Licking Valley Turnpike Road.

On motion of Mr. Kendall—

3. A bill to require Public Printer to furnish record blank books to Circuit and County Clerks, County Courts, County Judges and Justices of the Peace of the Commonwealth of Kentucky at stipulated prices for each class of books required.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st; the Committee on the Judiciary the 2d, and the Committee on General Statutes the 3d.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Kentucky State Horticultural Society;

An act to prohibit the sale or vending of spirituous or malt liquors within one mile of St. Marks, in McLean county;

An act for the benefit of school district No. 83, Pulaski county;

An act for the benefit of school district No. 9, in Nelson county;

An act for the benefit of common school district No. 12, in Taylor county;

An act for the benefit of H. McHargue, of Pulaski county.

An act to prohibit the sale of spirituous, vinous or malt liquors within one mile of Yellow Creek school-house, in Daviess county;

An act to prohibit the sale of spirituous, vinous and malt liquors within a radius of four miles of New Bethel Church, in Lyon county;

An act to repeal chapter 916, volume 2, 1881, pages 329, 330 and 331, approved April 8, 1882;

An act to prohibit the sale of spirituous, vinous and malt liquors within one and one-half miles of the Corinth Academy, in Grant county;

An act to prohibit the sale of spirituous, vinous or malt liquors or any mixture thereof within one and one-half miles of the Christian Church in the town of Crittenden, in Grant county;

An act to repeal chapter 851, volume 2, pages 227 and 228 approved April 7, 1881;

An act to amend the charter of the town of Allensville, Todd county, approved January 30, 1867;

An act changing the boundary line between the Hardinsburg and Bewleyville and Union Star and Bewleyville Justices' Districts, of Breckinridge county, and to change the voting place thereof;

An act for the benefit of W. B. Edwards, of Hart county;

An act for the benefit of E. S. Vance, of Simpson county;

An act to amend the second section of an act, entitled "An act to incorporate Blandville College, Ballard county," approved January 22, 1866;

An act to incorporate the American Mutual Benefit Association of Mexican War Veterans;

An act to exempt Yellow creek, in Hancock county, from the provisions of sections 2 and 3 of the fish law, approved March 20, 1876;

An act to prohibit the sale of spirituous, vinous or malt liquors in the New Liberty election precinct, in Owen county;

An act to incorporate Labor Exchange, Falmouth;

An act to authorize the County Court of Franklin county to issue bonds for the purpose of funding the present floating debt of said county;

An act declaring Chestnut creek, in Johnson county, a navigable stream;

An act to prohibit the manufacture and sale of spirituous, vinous and malt liquors, or mixture of either, within one and one-half miles from any church or house used by any congregation or denomination in which people assemble to worship God, in Laurel county;

An act to incorporate the North Kentucky Natural Gas and Fuel Company;

An act to prohibit the sale of intoxicating liquors in the town of Ceralvo, Ohio county;

An act to organize, supervise and maintain a common school in common school district No. 49, on John's creek, in Pike county;

An act to incorporate Maple Hill Female College, in Grant county;

An act to amend an act to charter the Owingsville and Wyoming Turnpike Road," approved March 2, 1867;

An act to regulate the sale of spirituous, vinous or malt liquors in the county of Henry;

An act to establish, supervise, organize and maintain the Stone Coal graded common school, in district No. 2, in Pike county;

An act to prohibit the sale, barter and traffic in spirituous, vinous or malt liquors in Webster county;

An act for the benefit of Pleasant Bartley, of Pike county;

An act to prohibit horses, mules and hogs from running at large on turnpike roads in Bath county;

An act to provide for the working of persons committed to to the custody of the Jailer of Green county;

An act to repeal an act to change the road law in Robertson county, approved January 27, 1876, and to restore chapter 94, of the General Statutes, in said county;

An act to amend the charter of the Goshen and Sligo Turnpike Road Company;

An act to prohibit the sale of spirituous, vinous and malt liquor within two miles of Oregon Ferry, on the Kentucky river, in Woodford and Mercer counties;

An act for the benefit of C. B. Fox, of Clark county;

An act for the benefit of school district No. 18, in Kenton county;

An act to change the voting place in Justices' District No. 2, usually called the Millville precinct, in Woodford county;

An act to reduce and define the boundary of the town of Morehead, in Rowan county, Kentucky.

An act to amend the charter of the town of Lewisburg, in Logan county;

An act to authorize the sale of the Payne's Depot and Mt. Vernon Turnpike Road, in Scott and Woodford counties;

An act changing the corporate limits of the town of Mayslick, in Mason county;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to regulate the sale of fertilizers in this Commonwealth, and to protect the agriculturist in the purchase and use of same;

An act to authorize Greenup County to subscribe to the capital stock of the Maysville and Big Sandy Railroad Company;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Bryan, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of the Cowan Station and Licking Valley Turnpike Road,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cravens withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Drennon Springs Company, in Henry county," approved April 4, 1884.

The Senate took up for consideration a joint resolution, entitled

Resolution fixing the time of *sine die* adjournment of General Assembly.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the General Assembly shall adjourn *sine die* on Friday, April 16, 1886, at 12 o'clock M., and that no bills or resolutions shall be introduced on that day.

Mr. Feland moved to amend said resolution by striking out the year 1886 and inserting the year 1887 in lieu thereof.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Bush moved to reconsider the vote by which the Senate had adopted said amendment.

Mr. Taulbee moved to lay said motion on the table.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said resolution fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Taulbee and Feland, were as follows, viz:

Those who voted in the affirmative, were--

John Feland,	H. T. Kendall,	W. H. Taulbee,
W. H. Frederick,	J. H. McDanell,	R. S. Triplett—6.

Those who voted in the negative, were—

S. H. Boles,	S. E. Hill,	J. T. Simon,
W. W. Bush,	W. F. Neat,	J. R. W. Smith,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace—9.

The Senate took up for consideration a bill, entitled

An act to provide additional legal remedies for the collection of the interest on the bonds of Providence district, in Webster county, and for the collection of said bonds when due.

On motion of Mr. Feland,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday, April 16th, at 11 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration the question of discharging the Committee on General Statutes from the further consideration of a leave, entitled

A bill amending chapter 113, of the General Statutes, title "Wills."

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken, "Shall the committee be discharged from the further consideration of said leave?" and it was decided in the affirmative.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to establish a system of public graded schools in the city of Mt. Sterling," approved April 15, 1884.

Mr. Clay proposed an amendment to said amendment.

Which was adopted.

The question was then taken on concurring in the adoption of said amendment, as amended, and it was decided in the affirmative.

Mr. Bryan, from the Committee on Penitentiary and House of Reform, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for the relief of the Penitentiary,'" approved May 3, 1880,

Reported the same without amendment.

Mr. J. R. W. Smith moved to recommit said bill to said committee.

Mr. Bush moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the motion to recommit said bill to said committee, and it was decided in the negative.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act approved May 10, 1884, entitled "An act to amend an act, entitled 'An act to provide for the relief of the Penitentiary,'" approved May 3, 1880, be amended by striking out of the eleventh line of the first section the words "and in mining." Also amend the same act by striking out of the first section the words: "*Provided, however*, That the provisions in regard to quartering convicts shall not apply to those engaged in mining."

§ 2. That this act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Ogilvie moved the following resolution, viz:

WHEREAS, F. M. Allison, an ex-member of this honorable body, and the father of the Assistant Clerk of this body, departed this life on the twelfth day of April, 1886; therefore, be it

Resolved by the Senate of Kentucky, That as a matter of

respect to the Assistant Clerk of this body, John Allison, and in memory of the distinguished services of said F. M. Allison while a member of this body, this Senate do now adjourn.

Which was twice read, and adopted.

And then the Senate adjourned.

WEDNESDAY, APRIL 14, 1886.

The Journal of yesterday was read and approved.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act to amend an act to incorporate the General Association of Colored Baptists of Kentucky, approved April 8, 1884.

An act to amend an act, entitled "An act to prohibit the sale, loan or gift of spirituous, vinous or other intoxicating liquors within one mile of the South Elkhorn Christian Church, at the village of South Elkhorn, in Fayette county, and within one mile of the South Elkhorn Baptist Church, at the village of Slickaway, in said county," approved February 11, 1882.

An act to prevent the selling, bartering, exchanging or trafficking in spirituous, vinous or malt liquors, or any mixture thereof, in the Canton voting precinct, in Trigg county.

An act to incorporate the Cheese Lick, Dugansville, and Barnettown Turnpike Road Company.

An act to amend the charter of the Blue Bank and Bell Grove Spring Turnpike Road.

An act to regulate the sale of fertilizers in this Commonwealth, and to protect the agriculturist in the purchase and use of same.

An act to authorize Greenup county to subscribe to the capital stock of the Maysville and Big Sandy Railroad Company.

Messrs. Wilson, Clement, Rigney and Albritton asked leave to have their names recorded in the negative, and Messrs. Sparks and Martin asked leave to have their names recorded in the affirmative on the passage by the Senate of a bill, entitled

An act in relation to blank books for use in the inferior courts and clerks' offices of this Commonwealth, and to provide for the payment of same.

Which was granted.

A message was received from the House of Representatives announcing that they had disagreed to a resolution and a bill which originated in the Senate, of the following titles, viz:

Resolution directing the construction of an iron railing on the steps on the west side of the State-house.

An act to change the line between Adair and Russell counties.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Dayton and Ohio River Turnpike Company, in Campbell county," approved April 4, 1884.

An act for the benefit of Claryville, Grant's Lick and Butler Turnpike Company.

An act to repeal chapter 1430, Local and Private Acts, 1883–4.

An act declaring Otter creek, in Clay county, a navigable stream.

An act for the benefit of the McHenry Coal Company.

An act to authorize the Board of Commissioners of Boyd county to appropriate money to the construction and repair of county roads and bridges, and provide for payment of same.

An act to amend an act incorporating the Security Storage Company, of Louisville, Ky., approved May 5, 1884.

An act to incorporate the Junction City, Rolling Fork and Bradfordsville Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Walton and Frazee Turnpike Road Company, in Mason county," approved March 7, 1868.

An act for the benefit of the old State road, in Campbell county.

An act to amend the charter of the Newport and Licking Turnpike Company.

An act to amend the charter of the Bloomfield and Springfield Turnpike Road Company, approved January 23, 1854.

An act to amend an act, entitled "An act to regulate the management of turnpike roads in Robertson and Nicholas counties," approved March 10, 1886.

An act to authorize and empower the Butler and Greenwood Turnpike Company to erect a gate on said Butler and Greenwood Turnpike Road within one mile of the corporation line of the town of Butler.

An act to amend an act, entitled "An act to incorporate the American Accident Company," approved March 23, 1886.

An act to incorporate the Cincinnati, Covington and Latonia Railway Company.

With an amendment to the last-named bill.

That they had passed bills of the following titles, viz:

1. An act to repeal an act, entitled "An act to amend the charter of the Paducah and Lovelaceville Turnpike or Gravel Road Company," approved April 3, 1884.

2. An act to amend the charter of the Paducah and Lovelaceville Turnpike or Gravel Road Company, and to re-establish certain laws in relation thereto repealed by an act, entitled "An act to amend the charter of the Paducah and Lovelaceville Turnpike or Gravel Road Company."

3. An act to incorporate the Corinth and Gaines' Fork Turnpike Company.

4. An act for the benefit of the East Union and Sharpsburg Turnpike Road Company.

5. An act to incorporate the Mt. Zion Turnpike Company, in Franklin county.

6. An act to incorporate the Camdenville and Shiloh Meetinghouse Turnpike Road Company.

7. An act to incorporate the Goggin's Ferry Turnpike Road Company.

8. An act to extend the corporate limits of the town of Independence, in Kenton county.

9. An act to amend the charter of the city of Dayton, in Campbell county.

10. An act to incorporate the West End Ferry Company.

11. An act to incorporate the Covington City Street Sprinkling Company.

12. An act to incorporate the Citizens' Gas-light Company, of Maysville.

13. An act to amend an act, entitled "An act to establish the Nicholas Chancery Court."

14. An act to amend the charter of the town of Elizabethtown, in this Commonwealth.

15. An act directing the Sheriff of Trimble county to take the sense of the qualified voters of said county on, and providing for the repeal of, an act, entitled "An act to authorize the Trimble County Court to take stock in turnpike roads, in said county," approved February 11, 1882.

16. An act for the benefit of the Sardis and Blue Lick Turnpike Road Company.

17. An act to declare the Clear Fork of Cumberland river a lawful fence from mouth of Elk creek to State line, in Whitley county.

18. An act to amend an act, entitled "An act to provide for appointing and electing commissioners for the county of Kenton, and defining their duties and the duties of other county officers whose duties are connected with the duties of said commissioners."

19. An act to incorporate the Sand Hill and Concord Turnpike Road Company, of Lewis county.

20. An act to amend an act, entitled "An act to charter the Cabin Creek, Sand Hill and Manchester Turnpike Road Company, of Lewis county."

21. An act to amend an act, entitled "An act to incorporate the Bardstown and Chaplin Turnpike Road Company."

22. An act to incorporate the Burkesville and Leslie Turnpike Company.

23. An act in relation to working the public highways in the town of Newfoundland, in Elliott county.

24. An act to amend an act, entitled "An act to incorporate the Chaplin and Rockbridge Turnpike Road Company, in Washington county," approved April 19, 1882.

25. An act to incorporate the Independent and Bank Lick Turnpike Road Company.

26. An act declaring Burning Spring Fork, in Magoffin county, a navigable stream.

27. An act declaring Cypress creek, in McLean county, a navigable stream, and fixing a penalty for obstructing the same.

28. An act to incorporate the Junction City and Danville Turnpike Road Company, in Boyle and Lincoln counties.

29. An act to amend the charter of the Russellville District Turnpike Company, and reduce into one the several acts relating thereto.

30. An act to amend and reduce into one the act incorporating the Hardensburg and Cloverport Turnpike Road Company, and the several acts amendatory thereof.

31. An act to incorporate the Blakeman Mills and Buckeye Turnpike Road Company, in Madison and Garrard counties.

32. An act providing for flood-gates for mill-dams on Green river, in the counties of Lincoln and Casey.

33. An act to amend an act, entitled "An act to incorporate the Carbondale Coal Company."

34. An act to re-enact an act, entitled "An act to authorize Martin Preston & Company to keep a boom across the mouth of Paint creek, in Johnson county.

35. An act to authorize Timothy Rowe to erect a mill-dam across the Little Sandy river, in Elliott county.

36. An act to provide for working the Sardis and Blue Lick Turnpike Road, in Mason and Robertson counties.

37. An act to authorize the Daviess County Court to purchase and construct gravel or turnpike roads, and to provide means for payment of same.

38. An act to amend and reduce into one the several acts in relation to the Police Court of Elizabethtown.

39. An act to authorize Henry C. Wells to erect a mill-dam across Daniel's creek, Johnson county.

40. An act to provide for the improvement and keeping up the public roads and bridges in the fifth magisterial district in Todd county, known as the Trenton district, and to provide means therefor.

41. An act to amend an act, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved April 1, 1880, and the amendments thereof, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved March 13, 1884, and an act to amend an act, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved April 1, 1880, approved May 3, 1884.

42. An act to empower the Boyle County Court to subscribe stock to a turnpike road leading from Mitchellsburg to Rolling Fork.

43. An act to repeal and amend an act for the benefit of the New Castle and Bethlehem and New Castle and Gray Turnpike Companies, in Henry county, approved April 3, 1884.

44. An act for the benefit of W. J. Webb, of Graves county.

45. An act for the benefit of J. K. Reynolds, of Graves county.

46. An act for the benefit of Lewis county, providing for cross-indexing the records of the Quarterly Court.

47. An act to amend an act, entitled "An act for the benefit of the Clerks of the County Courts of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan and Simpson counties," became a law without approval, January 10, 1873.

48. An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Eminence, in Henry county."

49. An act to incorporate the Uhls Branch and Four-mile Turnpike Road, in Campbell county.

50. An act to incorporate the Ripple Creek Avenue Turnpike Company, in Campbell county.

51. An act to incorporate the Mackville and Bethel Turnpike Road Company, in Washington county.

52. An act to renew the charter of the Alexandria and Flagg Spring Turnpike Road Company, in Campbell county.

53. An act to amend an act to incorporate the Deep Creek

Bridge and Gravel Switch Turnpike Road Company, in Washington and Marion counties.

54. An act to amend an act, entitled "An act to provide for a registration of voters in the city of Louisville," approved ——— 28, 1884.

55. An act to amend the charter of the American Mutual Aid Society.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 3d, 5th, 6th, 7th, 16th, 19th, 20th, 21st, 22d, 24th, 28th, 29th, 30th, 31st and 36th to the Committee on Internal Improvements; the 4th, 8th, 11th, 13th, 18th, 25th and 44th to the Committee on the Judiciary; the 9th to the Committee on Education; the 10th to the Committee on Finance; the 14th, 15th, 17th, 23d, 26th, 27th, 32d, 34th, 35th and 39th to the Committee on Propositions and Grievances; the 33d, 38th, 46th, 47th and 48th to the Committee on Courts of Justice; the 37th to the Committee on Library, Public Buildings and Offices; the 40th, 43d, 49th, 50th, 51st, 52d and 53d to the Committee on Agriculture and Manufactures; the 42d to the Committee on Public Expenditures, and the 55th to the Committee on Banks and Insurance.

Ordered, That the 12th, 41st and 54th named bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Frederick withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Fourth Avenue Park Turnpike Company, in Jefferson county.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act regulating the exemption of personal property from

40. An act to provide for the improvement and keeping up the public roads and bridges in the fifth magisterial district in Todd county, known as the Trenton district, and to provide means therefor.

41. An act to amend an act, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved April 1, 1880, and the amendments thereof, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved March 13, 1884, and an act to amend an act, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved April 1, 1880, approved May 3, 1884.

42. An act to empower the Boyle County Court to subscribe stock to a turnpike road leading from Mitchellsburg to Rolling Fork.

43. An act to repeal and amend an act for the benefit of the New Castle and Bethlehem and New Castle and Gray Turnpike Companies, in Henry county, approved April 3, 1884.

44. An act for the benefit of W. J. Webb, of Graves county.

45. An act for the benefit of J. K. Reynolds, of Graves county.

46. An act for the benefit of Lewis county, providing for cross-indexing the records of the Quarterly Court.

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48. An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Eminence, in Henry county."

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50. An act to incorporate the Ripple Creek Avenue Turnpike Company, in Campbell county.

51. An act to incorporate the Mackville and Bethel Turnpike Road Company, in Washington county.

52. An act to renew the charter of the Alexandria and Flagg Spring Turnpike Road Company, in Campbell county.

53. An act to amend an act to incorporate the Deep Creek

Bridge and Gravel Switch Turnpike Road Company, in Washington and Marion counties.

54. An act to amend an act, entitled "An act to provide for a registration of voters in the city of Louisville," approved ——— 28, 1884.

55. An act to amend the charter of the American Mutual Aid Society.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 3d, 5th, 6th, 7th, 16th, 19th, 20th, 21st, 22d, 24th, 28th, 29th, 30th, 31st and 36th to the Committee on Internal Improvements; the 4th, 8th, 11th, 13th, 18th, 25th and 44th to the Committee on the Judiciary; the 9th to the Committee on Education; the 10th to the Committee on Finance; the 14th, 15th, 17th, 23d, 26th, 27th, 32d, 34th, 35th and 39th to the Committee on Propositions and Grievances; the 33d, 38th, 46th, 47th and 48th to the Committee on Courts of Justice; the 37th to the Committee on Library, Public Buildings and Offices; the 40th, 43d, 49th, 50th, 51st, 52d and 53d to the Committee on Agriculture and Manufactures; the 42d to the Committee on Public Expenditures, and the 55th to the Committee on Banks and Insurance.

Ordered, That the 12th, 41st and 54th named bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Frederick withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Fourth Avenue Park Turnpike Company, in Jefferson county.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act regulating the exemption of personal property from

execution, attachment, distress for rent and fee bills, in this Commonwealth.

On motion of Mr. Simon,

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Friday, April 16th, at 11 o'clock A. M., and from day to day until disposed of.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Hays, from the Committee on Finance—

An act to incorporate the Louisville Theatrical Mechanical Association, No. 8.

By Mr. Simon, from the Committee on General Statutes—

An act to authorize the County Court of Carlisle county to issue bonds for the purpose of building and furnishing a court-house and jail at their county site in said county, and to levy an ad valorem tax to pay the same.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Simon, from the Committee on the Judiciary—

A bill to amend an act to authorize the Pendleton County Court to issue and sell bonds, and provide means of redeeming and regulating the manner of executing sale of bonds and disbursement of funds, approved March 31, 1886.

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill to prohibit the sale of spirituous, vinous and malt liquors within two miles of Bethel Church and school-house, in Barren county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Boles—

1. A bill to prohibit the sale of spirituous, vinous or malt liquors, or the mixture of either within two miles of Bethel Church and school-house, in Barren county, Kentucky.

On motion of Mr. Neat—

2. A bill for the benefit of Cary Chandler, of Adair county.

On motion of same—

3. A bill to repeal all acts making it unlawful to seine and trap fish in the counties of Green, Taylor, Adair and Wayne.

On motion of Mr. Wallace—

4. A bill to amend the Lawrence county road law.

On motion of Mr. Hill—

5. A bill to charter the Cherokee Coal Company.

On motion of Mr. Gilbert—

6. A bill for the benefit of Ewell D. Phillips, of Jefferson county.

On motion of Mr. Triplett—

7. A bill to incorporate the Great Western Stock Breeders' Association.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d; the Committee on Fish Culture the 3d; the Committee on General Statutes the 4th; the Committee on Internal Improvements the 5th; the Committee on Courts of Justice the 6th, and the Committee on Banks and Insurance the 7th.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Stinnett, in Anderson county;

An act to incorporate the Burlington Cemetery Company;

An act to authorize the people of Lincoln county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquor in said county;

An act to repeal chapter 198, of the Acts of 1884;

An act to repeal an act of March 29, 1878, prohibiting the granting of license to sell and tipple spirituous, vinous and malt liquors in Fulton county, so far as said act relates to the city of Hickman, and to provide for a vote in said city whether such license shall be granted there, and to regulate license tax therein;

An act to amend an act, entitled "An act to amend and reduce into one the acts relating to the town of Russellville," approved May 1, 1880;

An act to incorporate the Silver Crown Mining, Manufacturing and Lumber Company;

An act to prohibit the sale, barter, loan or traffic in spirituous, vinous or malt liquors in Boone county;

An act to prevent hogs running on the public roads in the voting precinct of Pitt's Point, Bullitt county;

An act to prevent the sale of spirituous, vinous or malt liquors, or a mixture of either, in any quantities within two miles of Green's Chapel Church, in Hart county;

An act to provide for the sale of New Bethel Church, in McCracken county, and to re-invest proceeds;

An act to incorporate the Laurel County Fair Company;

An act to authorize and empower the County Court of Martin county to issue the bonds of said county to pay for the right of way of the Chattaroi Railway Company through said county;

An act to prohibit certain trespasses to personal property in Kenton and Campbell counties;

An act to incorporate the Muhlenberg County Telephone Company;

An act to prohibit the sale of spirituous, vinous and malt liquors in Spencer county;

An act to repeal an act, entitled "An act to incorporate the Fourth Avenue Turnpike Company," approved February 27, 1882;

An act to regulate the sale of lightning-rods in this Commonwealth;

Resolution authorizing loaning of cannon to Confederate Re-union Association, at Cynthiana;

And an enrolled bill which originated in the Senate of the following title, viz:

An act to amend an act, entitled "An act to establish a State Board of Health;"

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Neat reported that the committee had performed that duty.

Mr. Ogilvie, from the Committee on Religion and Morals, to whom was recommitted a bill from the House of Representatives, entitled

An act authorizing the voters of Scott county to vote on the last Saturday in September, 1886, on the proposition to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof in Scott county,

Reported the same without amendment.

On motion of Mr. Caudill,

Ordered, That said bill be recommitted to the Committee on Immigration and Labor.

Mr. Bush, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to amend article 12, chapter 33, of the General Statutes, relating to bribery in elections,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day

for Friday, April 16th, at 11 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration a bill, entitled

An act to declare void certain endorsements heretofore erroneously made on certain certificates of survey and on certain warrants on file in the Land Office, and to authorize patents to be issued on said certificates.

Said bill reads as follows, viz:

WHEREAS, E. C. Duff and Henry Johnson did on the twelfth day of May, 1873, obtain from the Perry County Court 150 warrants of 200 acres each for vacant land in said county, which warrants were in the years 1874 and 1875, located by the surveyor of Perry county in surveys of 200 acres each in the names of said Duff and Johnson, certificates of which surveys were on the twenty-second day of February, 1875, duly filed and registered in the Land Office, and there numbered 52,450 and consecutively thereafter; and whereas, the land embraced in said certificates of survey was subsequently sold and assigned to William Tarr and James M. Thomas, with directions to the Register that the patents should issue in the names of the said Tarr and Thomas for said land (as will more fully appear from assignments on file in the Land Office with said certificates of survey); and whereas, on the tenth day of July, 1876, T. D. Marcum, then the Register of the Land Office, drew up drafts of patents in the names of said Tarr and Thomas upon said certificates of survey, but which patents were not signed by the Governor; and whereas, when said Marcum drew said drafts of patents he endorsed on each certificate of survey that a patent had issued thereon, and also endorsed on the face of each of said warrants that they were satisfied; and whereas, on the eighth day of April, 1882, the Legislature of Kentucky, in order to correct this error and enable patents to issue to said Tarr and Thomas for said land, passed an act declaring void the endorsements thus made by said Marcum on each of said certificates of survey and on the face of each of the said warrants; and whereas, subsequently on the twenty-seventh day of April, 1882, Ralph Sheldon, who was then Register of the Land Office, again drew up drafts or patents in the names of the said William Tarr and James M. Thomas, on all of said certificates of survey, but not in accordance with said act of the Legislature, approved April 18, 1882, which last-named drafts of patents were therefore never signed by the Governor, nor delivered to said Tarr and Thomas; and whereas, the said Sheldon, when he drew up said drafts of said patents aforesaid, did again endorse upon each of said certificates of survey that the patents had issued thereon, and also endorsed across the face of said warrants that they were respectively satisfied; and whereas, the

Register of the Land Office can not now properly issue grants on said certificates of survey by reason of said endorsement, which show that the grants have been issued, and that said warrants have satisfied, when in fact no grants have been issued on the said certificates of survey, and said warrants have not yet been satisfied; and whereas, the fees to which the State was entitled for issuing said patents, have long since been fully paid; therefore, to enable the Register to correct the foregoing, and to comply with the orders of the Franklin Circuit Court in the case of Tarr and Thomas against the Register,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the endorsements of Ralph Sheldon, as Register as aforesaid, on the back of each of said certificates of survey to the effect that a grant had been issued thereon, and across the face of each of said warrants to the effect that it has been satisfied, be, and the same are hereby, declared void, and the Register of the Land Office is hereby authorized and directed to issue to the said William Tarr and James M. Thomas patents on the said 150 certificates of survey without the payment of any additional fees therefor; and also to make the necessary corrections in the records of this office relating to said warrants, certificates of survey and grants.

§ 2. This act shall take effect from its passage.

Mr. Caudill moved that said bill be recommitted to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	Henry Dixon,	J. N. Price,
S. H. Boles,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	W. F. Neat,	J. H. Wilson—13.
F. M. Clement,		

Those who voted in the negative, were—

J. W. Bryan,	S. E. Hill,	J. T. Simon,
W. W. Bush,	L. M. Martin,	E. R. Sparks,
C. M. Clay, Jr.,	J. H. McDanell,	R. S. Triplett—10.
G. G. Gilbert,		

The Senate, according to order, took up for consideration the majority and minority reports of the joint advisory committee appointed to investigate the convict labor troubles.

Mr. Bryan moved that the further consideration of said reports be postponed to allow the Committee on Penitentiary and House of Reform to report a joint resolution which originated in the House of Representatives, entitled

Resolution in relation to convict labor.

And the question being taken thereon, it was decided in the affirmative.

Mr. Bryan, from the Committee on Penitentiary and House of Reform, to whom was referred a joint resolution which originated in the House of Representatives, entitled

Resolution in relation to convict labor,

Reported the same without amendment.

Said resolution reads as follows, viz:

WHEREAS, The joint committee appointed under a resolution which passed this General Assembly on January 29, 1886, to investigate and report whether any of the provisions of sections 9 and 12, of the act of May 30, 1880, entitled "An act to provide for the relief of the Penitentiary," had been violated, by whom, to what extent, etc., have reported to this General Assembly, in substance, that section 9 of said act has been violated by the Mason & Foard Company, and that said company has violated and failed to comply with the provisions of its contract made and entered into by it with the Commissioners of the Sinking Fund on April 27, 1885, in this, viz: That the said Mason & Foard Company has not and did not, in compliance with said section 9 and the stipulations of its said contract with the Commissioners, furnish sufficient or proper food, or sufficient or proper clothing or beds or bedding to or for said convicts under its charge and control at Greenwood and other mines in this State, and that said company has been guilty of cruel and inhuman treatment to said convicts, and has suffered and permitted cruel and inhuman punishment to be inflicted upon them, all of which, if true, is in gross violation of law and the contract under which said convicts are being worked, as well as the rules and regulations of the State prison; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund be, and they are hereby, requested and instructed to immediately investigate and look into said alleged and reported violations of the law and said contract, and to determine from same report and such other evidence as they may, in their discretion, deem proper to hear or receive whether said company has violated the law or the stipulation of the contract under which said convicts are being worked, and if they shall so

determine, then to immediately cancel and rescind said contract as they are authorized by law to do, and order a return of all convicts worked thereunder within the walls of the Penitentiary at Frankfort, and thereafter to make such disposition of them under the law as they may, in their discretion, deem to the best interest of the State.

Mr. J. R. W. Smith moved the following amendment to said bill as a substitute therefor, viz:

The Commissioners of the Sinking Fund are hereby directed to give to the lessees of the prison, the Mason & Foard Company, a notice in writing requiring a return of all prisoners working without the walls of the prison within six months from May 1, 1886. The said notice to be given in accordance with the fourth section of the act approved May 10, 1884, entitled "An to amend an act, entitled "An act to provide for the relief of the Penitentiary,'" approved May 3, 1880, and in accordance with the provisions of the contract made by said Commissioners with said Mason & Foard Company under said act.

Mr. Boles moved the following amendment as a substitute for said bill and proposed amendment, viz:

After preamble to House resolution add the following as a substitute for resolution of the House:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund are hereby directed and ordered to cancel and rescind said contract with Mason, Foard & Co., and to cause all convicts now outside the walls of the Penitentiary and being worked under said contract to be returned to the Penitentiary at Frankfort.

Mr. Hill moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	J. H. McDanell,
J. W. Bryan,	G. G. Gilbert,	W. F. Neat,
C. M. Clay, Jr.,	S. E. Hill,	J. W. Ogilvie,
F. M. Clement,	L. M. Martin,	E. R. Sparks—13.
Henry Dixon,		

Those who voted in the negative, were—

A. S. Berry,	W. H. Frederick,	J. R. W. Smith,
S. H. Boles,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	J. N. Price,	R. S. Triplett,
W. J. Caudill,	F. D. Rigney,	J. H. Wilson—12.

The question was then taken on the adoption of the amendment proposed to said bill by Mr. Boles, and it was decided in the negative by the casting vote of Hon. James R. Hindman, Lieutenant-Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Boles and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	J. R. W. Smith,
S. H. Boles,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	J. N. Price,	R. S. Triplett,
W. J. Caudill,	F. D. Rigney,	J. H. Wilson—12.

Those who voted in the negative, were—

R. T. Albritton,	John Feland,	J. H. McDanell,
J. W. Bryan,	G. G. Gilbert,	J. W. Ogilvie,
C. M. Clay, Jr.,	S. E. Hill,	E. R. Sparks,
F. M. Clement,	L. M. Martin,	J. R. Hindman—13.
Henry Dixon,		

Paired, Neat, aye; McKee, nay.

Burnett, aye; Simon, nay.

Mr. Berry moved a call of the Senate.

And the question being taken thereon, it was decided in the affirmative.

Pending the call of the Senate, Mr. Frederick moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	J. R. W. Smith,
S. H. Boles,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. N. Price,	J. H. Wilson—14.
Henry Dixon,	F. D. Rigney,	

Those who voted in the negative, were—

R. T. Albritton,	John Feland,	J. H. McDanell,
J. W. Bryan,	G. G. Gilbert,	J. W. Ogilvie,
C. M. Clay, Jr.,	S. E. Hill,	J. T. Simon,
F. M. Clement,	L. M. Martin,	E. R. Sparks—12.

And then the Senate adjourned.

THURSDAY, APRIL 15, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to create a Common Pleas Court in the counties of Bourbon, Clark, Madison, Bath and Montgomery.

An act to provide for the organizing, maintaining and supervising of common schools in the town of Pikeville and vicinity, in Pike county.

An act to establish a Board of Commissioners for Floyd county, and to define their duties and the duties of other county officers whose duties are connected with the duties of said Commissioners.

An act to amend an act, entitled "An act to charter the Eddyville Male and Female Academy, in Lyon county," approved March 5, 1872, and providing for the election of a school board, and for a rate upon a school tax.

An act to establish, supervise, organize and maintain the Stone Coal graded common school, in district No. 2, in Pike county.

An act to incorporate the North Kentucky Natural Gas and Fuel Company.

An act to repeal an act, entitled "An act to authorize a certain defined portion of Jessamine county to subscribe to the capital stock of the Sugar Creek and Watt's Mill Turnpike Road Company," approved May 1, 1884.

An act in relation to the time of holding the Common Pleas Court in Jessamine county.

An act to establish a voting place in Graves county, at Hickory Grove.

An act to authorize the sale of the Payne's Depot and Mt. Vernon Turnpike Road, in Scott and Woodford counties.

An act to reduce and define the boundary of the town of Morehead, in Rowan county, Kentucky.

An act to change the voting place in Justices' District No. 2, usually called the Millville precinct, in Woodford county;

An act for the benefit of school district No. 18, in Kenton county;

An act to incorporate the Kentucky State Horticultural Society.

An act for the benefit of school district No. 83, Pulaski county.

An act for the benefit of common school district No. 12, in Taylor county.

An act to amend the second section of an act, entitled "An act to incorporate Blandville College, Ballard county," approved January 22, 1866.

An act to incorporate Labor Exchange, Falmouth.

An act to authorize the County Court of Franklin county to issue bonds for the purpose of funding the present floating debt of said county.

An act declaring Chestnut creek, in Johnson county, a navigable stream.

An act to incorporate Maple Hill Female College, in Grant county.

An act to amend an act to charter the Owingsville and Wyoming Turnpike Road, approved March 2, 1867.

An act to prohibit the sale, barter and traffic in spirituous, vinous or malt liquors in Webster county.

An act for the benefit of Pleasant Bartley, of Pike county.

An act to prohibit horses, mules and hogs from running at large on turnpike roads in Bath county.

An act to provide for the working of persons convicted of a misdemeanor and sentenced to imprisonment in Green county.

An act to repeal an act to change the road law in Robertson county, approved January 27, 1876, and to restore chapter 94, of the General Statutes, in said county.

An act to amend the charter of the Goshen and Sligo Turnpike Road Company.

An act to amend the charter of the town of Allensville, Todd county, approved January 30, 1867.

An act changing the boundary line between the Hardinsburg and Bewleyville and Union Star and Bewleyville Justices' Districts, of Breckinridge county.

An act for the benefit of E. S. Vance, of Simpson county.

An act to regulate the sale of spirituous, vinous or malt liquors in the county of Henry.

An act to prohibit the sale of intoxicating liquors in the town of Ceralvo, Ohio county.

An act to prohibit the sale of spirituous, vinous or malt liquors or any mixture thereof within one and one-half miles of the Christian Church in the town of Crittenden, in Grant county.

An act to prohibit the sale of spirituous, vinous and malt liquors within one and one-half miles of the Corinth Academy, in Grant county.

An act to prohibit the sale of spirituous, vinous or malt liquors within one mile of Yellow Creek school-house, in Daviess county.

An act to prohibit the sale or vending of spirituous, vinous or malt liquors within one mile of St. Marks, in McLean county.

An act to prohibit the sale of spirituous, vinous and malt liquor within two miles of Oregon Ferry, on the Kentucky river, in Woodford and Mercer counties.

An act for the benefit of H. McHargue, of Pulaski county.

An act to exempt Yellow creek, in Hancock county, from the provisions of sections 2 and 3 of the fish law, approved March 20, 1886.

An act changing the corporate limits of the town of Mayslick, in Mason county.

An act to establish the line between Breckinridge and Hancock counties.

An act to organize, supervise and maintain a common school in common school district No. 49, on John's creek, in Pike county.

An act to repeal chapter 916, volume 2, 1881, pages 329, 330 and 331, approved April 8, 1882.

An act to repeal chapter 851, volume 2, pages 227 and 228, approved April 7, 1881.

An act to incorporate the Young Men's Mutual Life Association, of Kentucky.

An act authorizing the County Court of Meade county to issue bonds to pay the indebtedness of said county, and to repeal an act, entitled "An act authorizing the County Levy Court of Meade county to levy an additional ad valorem tax," approved January 25, 1886, and to repeal an act, entitled "An act authorizing the County Court of Meade county to issue bonds to pay the indebtedness of said county," approved January 14, 1886.

That they had passed a bill which originated in the Senate, entitled

An act to incorporate the Wilmore and Kentucky River Turnpike Road Company, in Jessamine county.

With an amendment.

That they had passed bills of the following titles, viz:

1. An act to create a voting precinct in Anderson county.

2. An act to amend the revenue laws of the Commonwealth of Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the first-named bill was referred to the Committee on Military Affairs.

On motion of Mr. Clay,

Ordered, That the further consideration of the second-named bill be postponed, and that 500 copies of said bill be printed and said bill made the special order of the day for Thursday,

April 22d, at 11 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Cincinnati, Covington and Latonia Railway Company.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Clarksville and Princeton Railroad Company," approved April 15, 1880,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. McDanell, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, in the town of Danville, Boyle county, or within two miles of the limits thereof.

By Mr. Triplett, from the Committee on Library, Public Buildings and Offices—

An act to authorize the Daviess County Court to purchase and construct gravel or turnpike roads, and to provide means for payment of same.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the sale, giving or loaning of any spirituous, vinous or malt liquors, or any mixture thereof, within three miles of Roaring Springs, in Trigg county.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to incorporate the West Kentucky and Tennessee Railway Company.

Ordered, That said bills be feverally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Taulbee, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Jefferson Natural Gas Company,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with.

Mr. J. R. W. Smith moved to amend said bill by striking out the seventh section thereof.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hill moved to reconsider the vote by which the Senate had adopted said amendment.

Mr. Bryan moved that said bill, as amended, be recommitted to the Committee on Courts of Justice.

Pending said motion, the Speaker announced the unfinished report of the Committee on Penitentiary and House of Reform, so further action thereon was cut off.

The Senate took up for consideration the report of the joint committee of conference appointed to take into consideration the disagreement of the two Houses in regard to an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to provide for and regulate the holding of examining courts in this Commonwealth, and fixing the fees of the County Judge, Justices of the Peace and Police Judges and other officers when sitting in examining courts.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Judges of the County Courts in their respective counties shall have as an examining court exclusive jurisdiction in all cases of homicide.

§ 2. The examining trial for the offense in the first section of this act mentioned shall be held at the county seat of the county in which the offense is alleged to have been committed.

§ 3. When any person is arrested, charged with homicide, he shall be carried before the County Judge, if in the county, for an examining trial. If the County Judge is absent from the county or can not properly preside in the case, the party arrested shall, by the officers or person having him in charge, be carried to the Justice of the Peace living nearest to the county seat for an examining trial, or to the Police Judge of the town which is the county seat for an examining trial. If the Justice of the Peace is absent from his district, or Police Judge is absent from the town, or either of them can not properly preside, then any other Justice of the Peace may act as an examining court in the trial of the person arrested.

§ 4. One Justice of the Peace shall have all the rights, powers and jurisdiction now conferred by law on two Justices of the Peace as an examining court: *Provided*, Said Justice shall have no jurisdiction to act as an examining court in case of homicide, unless the party charged with said offense is brought before him pursuant to section 3 of this act.

§ 5. This act shall be construed as limiting the jurisdiction of the County Judge as an examining court to the offense of homicide.

§ 6. The County Judge shall not receive any fee for services rendered as an examining court.

§ 7. A Justice of the Peace, Police Judge or other officers (except the County Judge), acting as an examining court, shall receive for the first day as fee for his services two dollars; for each day thereafter one dollar: *Provided*, That in no case shall the fees exceed four dollars; the fees to be allowed, certified and paid as such fees are now paid: *Provided*, That nothing in this act shall deprive any Police Judge, City Judge or Mayor of a city in this Commonwealth of any jurisdiction they now have in regard to holding examining courts.

§ 8. A bond for the appearance of the defendant at any court shall be valid when taken by any officer having the power and right to sit as an examining court, or who does in the case sit as an examining court.

§ 9. This act to take effect from and after its passage.

The amendment adopted by the Senate to said bill reads as follows, viz:

Amend by adding to the seventh section the following words, viz: "Except as herein provided."

Amend by adding to the eighth section the following words, viz: "The provisions of this act shall not apply to the county of Jefferson."

The report of the joint committee of conference appointed to take into consideration the disagreement in regard to said amendment, reads as follows, viz:

To the Speakers of the Senate and House of Representatives:

The committee of conference of both Houses of the General Assembly, to whom was referred the disagreement between the Senate and House of Representatives as to the amendments of the Senate to House bill No. 25, entitled "An act to provide for and regulate the holding of examining courts," etc., would respectfully report that they have had such conference, and, upon consideration, report that they are of opinion that the Senate should recede from their amendment to said bill March 31, 1886.

JOHN FELAND,
G. G. GILBERT,
PHIL. B. THOMPSON,
W. W. DICKERSON.

The question was then taken on the adoption of said report, and it was decided in the affirmative.

So said amendment was receded from.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. J. R. W. Smith moved to amend said bill as follows, viz:

Amend section seven (7) by adding thereto the following words, to wit: "*And it is further provided*, The provisions of this section as to fees shall not apply to the Judge of the City Court of Louisville, and the Judge of said City Court of Louisville shall not receive any fees whatever for services rendered as an examining court, but shall be paid the same salary as now provided by law."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Gilbert moved to postpone the further consideration of said bill indefinitely.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and McKee, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	Henry Dixon,	J. N. Price,
A. S. Berry,	John Feland,	F. D. Rigney,
R. A. Burnett,	W. H. Frederick,	R. S. Triplett,
W. W. Bush,	G. G. Gilbert,	Robert Walker,
A. R. Byers,	L. W. McKee,	J. H. Wilson—17.
F. M. Clement,	J. W. Ogilvie,	

Those who voted in the negative, were—

S. H. Boles,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	H. T. Kendall,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	F. T. D. Wallace—14.
R. G. Hays,	W. F. Neat,	

So said bill was disagreed to.

The Senate took up for consideration the unfinished report of the Committee on Penitentiary and House of Reform, being a resolution which originated in the House of Representatives, entitled

Resolution in relation to convict labor.

[*For resolution and amendments, see Senate Journal of yesterday.*]

Mr. Clement moved to reconsider the vote by which the Senate had refused to adopt the amendment proposed on yesterday by Mr. Boles to said resolution.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Martin, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	W. H. Taulbee,

A. R. Byers,
W. J. Caudill,
F. M. Clement,
W. M. Cravens,
H. T. Kendall,
J. H. McDanell,
J. N. Price,
F. D. Rigney,
R. S. Triplett,
F. T. D. Wallace,
J. H. Wilson—17.

Those who voted in the negative, were—

R. T. Albritton,
J. W. Bryan,
W. W. Bush,
C. M. Clay, Jr.,
Henry Dixon,
John Feland,
G. G. Gilbert,
S. E. Hill,
L. M. Martin,
L. W. McKee,
J. W. Ogilvie,
J. T. Simon,
E. R. Sparks,
Robert Walker—14.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Caudill and Hays, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,
S. H. Boles,
R. A. Burnett,
A. R. Byers,
W. J. Caudill,
W. M. Cravens,
W. H. Frederick,
H. T. Kendall,
W. F. Neat,
J. N. Price,
F. D. Rigney,
J. R. W. Smith,
W. H. Taulbee,
R. S. Triplett,
J. H. Wilson—15.

Those who voted in the negative, were—

R. T. Albritton,
J. W. Bryan,
W. W. Bush,
C. M. Clay, Jr.,
F. M. Clement,
Henry Dixon,
John Feland,
G. G. Gilbert,
S. E. Hill,
L. M. Martin,
J. H. McDanell,
L. W. McKee,
J. W. Ogilvie,
J. T. Simon,
E. R. Sparks,
Robert Walker,
F. T. D. Wallace—17.

Paired: Hays, yea; Harris, nay.

The question was then taken on the adoption of the amendent proposed on yesterday by Mr. J. R. W. Smith to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Rigney, were as follows, viz:

Those who voted in the affirmative, were—

Henry Dixon,
R. G. Hays,
S. E. Hill,
J. R. W. Smith,
R. S. Triplett—5.

Those who voted in the negative, were—

R. T. Albritton,	W. M. Cravens,	J. W. Ogilvie,
A. S. Berry,	John Feland,	J. N. Price,
S. H Boles,	W. H. Frederick,	F. D. Rigney,
J. W. Bryan,	G. G. Gilbert,	J. T. Simon,
R. A. Burnett,	H. T. Kendall,	E. R. Sparks,
W. W. Bush,	L. M. Martin.	W. H. Taulbee,
A. R. Byers,	J. H. McDanell,	Robert Walker,
W. J. Caudill,	L. W. McKee,	F. T. D. Wallace,
C. M. Clay, Jr.,	W. F. Neat,	J. H. Wilson—28.
F. M. Clement,		

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ogilvie and Simon, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	J. T. Simon,
J. W. Bryan,	G. G. Gilbert,	J. R. W. Smith,
W. W. Bush,	S. E. Hill,	E. R. Sparks,
C. M. Clay, Jr.,	H. T. Kendall,	W. H. Taulbee,
F. M. Clement,	J. H. McDanell,	R. S. Triplett,
W. M. Cravens,	L. W. McKee,	Robert Walker,
Henry Dixon,	J. W. Ogilvie,	F. T. D. Wallace—21.

Those who voted in the negative, were—

A. S. Berry,	W. J. Caudill,	J. N. Price,
S. H. Boles,	W. H. Frederick,	F. D. Rigney,
R. A. Burnett,	L. M. Martin,	J. H. Wilson—11.
A. R. Byers,	W. F. Neat,	

Paired: Hays, nay; Harris, yea.

Resolved, That the title of said resolution be as aforesaid.

Mr. Simon moved to reconsider the vote by which the Senate had concurred in the adoption of said resolution.

Mr. Sparks moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and McKee, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	John Feland,	L. W. McKee,
J. W. Bryan,	W. H. Frederick,	J. W. Ogilvie,
W. W. Bush,	G. G. Gilbert,	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	E. R. Sparks,
F. M. Clement,	H. T. Kendall,	Robert Walker,
Henry Dixon,	J. H. McDanell,	F. T. D. Wallace—18.

Those who voted in the negative, were—

A. S. Berry,	R. G. Hays,	J. R. W. Smith,
S. H. Boles,	L. M. Martin,	W. H. Taulbee,
R. A. Burnett,	W. F. Neat,	R. S. Triplett,
A. R. Byers,	J. N. Price,	J. H. Wilson—14.
W. J. Caudill,	F. D. Rigney,	

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for the relief of the Penitentiary,'" approved May 3, 1880;

An act to amend the charter of the Methodist Mutual Aid Association;

An act to incorporate the Summer Shade Institute, in Metcalfe county;

An act to amend an act, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved April 1, 1880, and the amendments thereof, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved March 13, 1884, and an act to amend an act, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved April 1, 1880, approved May 3, 1884.

An act to incorporate the Citizens' Gas-light Company, of Maysville.

An act prohibiting the sale of spirituous, vinous or malt liquors in the Walton precinct, in Boone county;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to authorize and empower the Butler and Greenwood Turnpike Company to erect a gate on said Butler and Greenwood Turnpike Road within one mile of the corporate line of the town of Butler;

An act for the benefit of the McHenry Coal Company;

An act declaring Otter creek, in Clay county, a navigable stream;

An act to authorize the Board of Commissioners of Boyd county to appropriate money to the construction and repair of county roads and bridges, and provide for payment of same;

An act to amend an act incorporating the Security Storage Company, of Louisville, Ky., approved May 5, 1884;

An act for the benefit of the old State road, in Campbell county;

An act for the benefit of Claryville, Grant's Lick and Butler Turnpike Company;

An act to incorporate the Ohio, Kentucky and Virginia Railway Company;

An act to amend an act, entitled "An act to incorporate the Walton and Frazee Turnpike Road Company, in Mason county," approved March 7, 1868;

An act to amend an act, entitled "An act to incorporate the American Accident Company," approved March 23, 1886;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Simon, from the Committee on Executive Affairs, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act to amend and reduce into one the several acts incorporating the town of Falmouth, Pendleton county,"

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Feland—

1. A bill to incorporate the West Kentucky Improvement Company.

On motion of Mr. Simon—

2. A bill to amend an act to incorporate Mapel Hill Female College, in Grant county.

On motion of Mr. Rigney—

3. A bill to amend an act, entitled "An act prohibiting the sale of spirituous, vinous or malt liquors within one and a half miles of Shady Grove, in Casey county," approved February 21, 1884.

On motion of same—

4. A bill to amend an act, entitled "An act to incorporate the town of Dunville, in Casey county," approved March 30, 1878.

On motion of Mr. Cravens—

5. A bill for the benefit of Walter Lamaster, of Henry county.

On motion of Mr. Wallace—

6. A bill to amend an act, entitled "An act to incorporate the Mutual Benefit Association of the Western Virginia Conference of the M. E. Church, South," approved March 6, 1880.

Ordered, That the Committee on General Statutes prepare and bring in the 1st and 6th; the Committee on Education the 2d; the Committee on Religion and Morals the 3d and 4th; and the Committee on Claims the 5th.

The Senate, according to order, took up for consideration the majority and minority reports of the joint advisory committee appointed to investigate the convict labor troubles.

[*For reports, see Senate Journal, March 30th.*]

Mr. Bryan moved that the further consideration of said reports be postponed until Thursday, April 22d.

Mr. Triplett moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Burnett moved that the Senate do now adjourn.

And the question being taken thereon it was decided in the affirmative.

And then the Senate adjourned.

FRIDAY, APRIL 16, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, asking leave to withdraw from the Senate a bill which originated in the House of Representatives, entitled

An act to authorize Timothy Rowe to erect a mill-dam across the Little Sandy river, in Elliott county.

Which was granted, and the bill delivered to the messenger.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Wilmore and Kentucky River Turnpike Road Company, in Jessamine county.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to authorize the people of Lincoln county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquor in said county.

An act to repeal an act of March 29, 1878, prohibiting the granting of license to sell and tipple spirituous, vinous and malt liquors in Fulton county, so far as said act relates to the city of Hickman, and to provide for a vote in said city whether such license shall be granted there, and to regulate license tax therein.

An act to prohibit the sale of spirituous, vinous and malt liquors in Spencer county.

An act to prevent the sale of spirituous, vinous or malt liquors, or a mixture of either, in any quantities within two miles of Green's Chapel Church, in Hart county.

An act to prohibit the sale, barter, loan or traffic in spirituous, vinous or malt liquors in Boone county.

An act to prohibit the sale of spirituous, vinous and malt liquors within a radius of four miles of New Bethel Church, in Lyon county.

An act to incorporate the Silver Crown Mining, Manufacturing and Lumber Company.

An act to prevent hogs running on the public roads in the voting precinct of Pitt's Point, Bullitt county.

An act to provide for the sale of New Bethel Church, in McCracken county, and to re-invest proceeds.

An act to incorporate the Laurel County Fair Company.

An act to prohibit certain trespasses to personal property in Kenton and Campbell counties.

An act to repeal an act, entitled "An act to incorporate the Fourth Avenue Turnpike Company," approved February 27, 1882.

An act to repeal chapter 198, of the Acts of 1884.

An act to incorporate the town of Stinnett, in Anderson county.

An act to incorporate the Burlington Cemetery Company.

Resolution authorizing loaning of cannon to Confederate Re-union Association, at Cynthiana.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Union Club, of Louisville, Kentucky.

An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of Bethel Church and school-house, in Barren county.

An act in relation to and for the conditional repeal of an act, entitled "An act to incorporate the now existing Louisville Gas Company," and to grant it a new charter, approved ——— 30, 1884.

That they had passed bills of the following titles, viz:

1. An act to amend the charter of Eminence College, at Eminence, Henry county, Kentucky.

2. An act to prohibit the sale of intoxicating liquors in Caldwell county, and to vote on same.

3. An act to incorporate the Central Kentucky Building and Loan Association.

4. An act to amend an act, entitled "An act to amend and reduce into one all the acts in relation to the town of Junction City."

5. An act to establish an additional voting precinct on the North Rolling Fork, at Minor's Store, in Boyle county.

6. An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873.

7. An act to incorporate the Bowling Green Petroleum and Fuel Company.

8. An act to incorporate the Breckinridge County Running and Trotting Horse Association.

9. An act for the benefit of R. F. Howard, of Magoffin county.

10. An act to amend and reduce into one the several acts concerning the town of Stephensport, in Breckinridge county.

11. An act to create the office of County Treasurer of Pulaski county, and prescribe the duties of same.

12. An act to incorporate the Owensboro Gas-light Company.

13 An act to amend an act, entitled "An act to further regulate the retail traffic in spirituous and malt liquors and nostrums used as a beverage," approved May 5, 1880.

14. An act to amend an act, entitled "An act creating a new charter for the city of Owensboro," approved March 18, 1882.

15. An act to reduce the number of magisterial districts in Spencer county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Education; the 2d and 13th to the Committee on Religion and Morals; the 3d to the Committee on Banks and Insurance; the 4th and 6th to the Committee on Public Expenditures; the 5th to the Committee on Privileges and Elections; the 7th and 10th to the Committee on Internal Improvements; the 8th to the Committee on Agriculture and Manufactures; the 9th to the Committee on Claims; the 11th to the Committee on General Statutes; the 12th to the Committee on Courts of Justice; the 14th to the Committee on Library, Public Buildings and Offices; and the 15th to the Committee on the Judiciary.

Mr. Ogilvie, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to regulate the sale of spirituous, vinous and malt liquors in Simpson county,

Reported the same without amendment.

Mr. Bush moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to take the sense of the voters of Simpson county on the question of selling spirituous, vinous or malt liquors.

Mr. Frederick moved the following resolution, viz:

Resolved, That after Monday next the Senate meet at 10 o'clock A. M.

Which was twice read, and adopted.

Mr. Hill read and laid on the table a joint resolution of the following title, viz:

Resolution in regard to lotteries.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, and read as follows, viz:

WHEREAS, Certain persons in the city of Louisville, State of Kentucky, claiming to be the legal representatives of one E. S. Stewart, deceased, are conducting a lottery under the pretended authority of a contract made December 31, 1876, between said E. S. Stewart, since deceased, of the one part, and the city council of the city of Frankfort as owners of the franchises, rights, powers and privileges of an act, entitled "An act for the benefit of the city school of Frankfort and for other purposes," approved February 1, 1838; and whereas, there are good grounds to believe that said persons have no right whatever to conduct said lottery; and whereas, the operation of said lottery is calculated to enrich a few at the expense of many; now, therefore, in the interest of public policy, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That for the purpose of ascertaining by whom and under what authority said persons are operating said lottery, and also to ascertain whether (in the event of the legality of the claim to E. S. Stewart's alleged rights to the franchises referred to), the conditions of any contract which may have been made by the city council of Frankfort with E. S. Stewart, or whether the obligations due the State have been fully and faithfully complied with and carried out, that the Speaker of the Senate be, and he is hereby, directed to appoint a committee of two persons to act in conjunction with a similar committee of three persons to appoint whom authority is hereby granted to the Speaker of the House of Representatives, whose duty it shall be to proceed to Louisville, send for persons and papers, swear and examine witnesses, and take such other steps as may be expedient and necessary to carry out and execute the aims and purposes of this resolution, and to report to the General Assembly at the earliest opportunity such action as to them seems best in the premises. This resolution to be in force from its passage.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. McDanell moved the following resolution, viz:

Resolved, That after Monday next the Senate hold two sessions each day, one in the forenoon and one in the afternoon.

And the question being taken on the adoption of said resolution, it was decided in the negative.

Mr. Hays read and laid on the table a joint resolution, entitled

Resolution providing for *sine die* adjournment of the General Assembly.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That on the thirteenth day of May, 1886, this General Assembly will adjourn *sine die*.

Resolved further, That no bills or resolutions shall be considered after 12 o'clock M. on said day.

Mr. Bryan moved to amend said resolution as follows, viz:

Strike out the "thirteenth of May" and insert the "sixth of May" in lieu thereof.

Mr. Wilson moved to amend said resolution as follows, viz:

Strike out the "thirteenth of May" and insert in lieu thereof the "seventeenth of May."

Mr. Clay moved to amend said resolution as follows, viz:

Strike out the "thirteenth of May" and insert in lieu thereof the "third of May."

Mr. Martin moved that the further consideration of said resolution and proposed amendments thereto be postponed until Monday, April 26, 1886.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

L. M. Martin, J. W. Ogilvie, F. D. Rigney,
J. H. McDanell, J. N. Price, F. T. D. Wallace—7.
L. W. McKee,

Those who voted in the negative, were—

R. T. Albritton,	Henry Dixon,	J. T. Simon,
S. H. Boles,	W. H. Frederick,	J. R. W. Smith,
J. W. Bryan,	G. G. Gilbert,	E. R. Sparks,
R. A. Burnett,	R. G. Hays,	W. H. Taulbee,
W. W. Bush,	S. E. Hill,	R. S. Triplett,
A. R. Byers,	H. T. Kendall,	Robert Walker,
W. J. Caudill,	W. F. Neat,	J. H. Wilson—22.
C. M. Clay, Jr.,		

The question was then taken on the adoption of the amendment proposed by Mr. Wilson to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ogilvie and Rigney, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers,	R. G. Hays,	W. H. Taulbee,
Henry Dixon,	J. R. W. Smith,	J. H. Wilson—6.

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	J. W. Ogilvie,
S. H. Boles,	G. G. Gilbert,	J. N. Price,
J. W. Bryan,	S. E. Hill,	F. D. Rigney,
R. A. Burnett,	H. T. Kendall,	E. R. Sparks,
W. W. Bush,	L. M. Martin,	R. S. Triplett,
W. J. Caudill,	J. H. McDanell,	Robert Walker,
C. M. Clay, Jr.,	L. W. McKee,	F. T. D. Wallace—23.
F. M. Clement,	W. F. Neat,	

On motion of Mr. Hays,

Ordered, That the special order of the day be postponed until said resolution and proposed amendments be disposed of.

The question was then taken on the adoption of the amendment proposed by Mr. Bryan to said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles, W. H. Frederick, F. D. Rigney,
J. W. Bryan, S. E. Hill, J. T. Simon,
R. A. Burnett, H. T. Kendall, J. R. W. Smith,
A. R. Byers, L. M. Martin, E. R. Sparks,
W. J. Caudill, J. H. McDanell, W. H. Taulbee—16.
F. M. Clement,

Those who voted in the negative, were—

R. T. Albritton, R. G. Hays, R. S. Triplett,
W. W. Bush, L. W. McKee, Robert Walker,
C. M. Clay, Jr., W. F. Neat, F. T. D. Wallace,
Henry Dixon, J. W. Ogilvie, J. H. Wilson—14.
G. G. Gilbert, J. N. Price,

Mr. Wallace moved to reconsider the vote by which the Senate had adopted said amendment.

Mr. Price moved to lay said resolution and proposed amendments on the table.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the motion made by Mr. Wallace, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Triplett and Byers, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry, L. W. McKee, R. S. Triplett,
W. J. Caudill, W. F. Neat, Robert Walker,
C. M. Clay, Jr., J. W. Ogilvie, F. T. D. Wallace,
G. G. Gilbert, J. N. Price, J. H. Wilson—14.
R. G. Hays, J. R. W. Smith,

Those who voted in the negative, were—

R. T. Albritton, A. R. Byers, J. H. McDanell,
S. H. Boles, F. M. Clement, F. D. Rigney,
J. W. Bryan, W. H. Frederick, J. T. Simon,
R. A. Burnett, S. E. Hill, E. R. Sparks,
W. W. Bush, H. T. Kendall, W. H. Taulbee—15.

Mr. Frederick moved to amend said resolution as follows, viz:

No bill or resolution shall be considered on that day, and the General Assembly shall adjourn *sine die* at 12 o'clock M. on that day.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Caudill and Rigney, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. N. Price,
S. H. Boles,	G. G. Gilbert,	F. D. Rigney,
J. W. Bryan,	S. E. Hill,	J. T. Simon,
R. A. Burnett,	H. T. Kendall,	J. R. W. Smith,
W. W. Bush,	L. M. Martin,	E. R. Sparks,
A. R. Byers,	J. H. McDanell,	W. H. Taulbee,
W. J. Caudill,	L. W. McKee,	R. S. Triplett,
C. M. Clay, Jr.,	W. F. Neat,	F. T. D. Wallace,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—27.

Those who voted in the negative, were—

R. G. Hays, Robert Walker—2.

Resolved, That the title of said resolution be as aforesaid.

Mr. Berry moved to reconsider the vote by which the Senate had disagreed to a bill which originated in the House of Representatives, entitled

An act to provide for and regulate the holding of examining courts in this Commonwealth, and fixing the fees of the County Judge, Justices of the Peace, Police Judges and other officers when sitting in examining courts.

[*For bill, see Senate Journal, April 15th.*]

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Taulbee, were as follows, viz:

Those who voted in the affirmative, were--

A. S. Berry,	R. G. Hays,	J. T. Simon,
S. H. Boles,	S. E. Hill,	J. R. W. Smith,
J. W. Bryan,	L. M. Martin,	E. R. Sparks,
W. W. Bush,	J. H. McDanell,	W. H. Taulbee,
W. J. Caudill,	L. W. McKee,	R. S. Triplett,
C. M. Clay, Jr.,	F. D. Rigney,	F. T. D. Wallace—19.
G. G. Gilbert,		

Those who voted in the negative, were—

R. T. Albritton,	W. H. Frederick,	J. N. Price,
R. A. Burnett,	H. T. Kendall,	Robert Walker,
A. R. Byers,	W. F. Neat,	J. H. Wilson—11.
F. M. Clement,	J. W. Ogilvie,	

Mr. Kendall moved to amend said bill as follows, viz:

Amend by striking out the first and second sections.

Mr. Burnett moved to amend said bill as follows, viz:

This act shall not apply to the counties of Caldwell, Crittenden, Webster, Trigg, Calloway, Livingston and Lyon.

Mr. Bush moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Kendall to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ogilvie and Simon, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	R. G. Hays,	J. W. Ogilvie,
R. A. Burnett,	H. T. Kendall,	J. N. Price,
A. R. Byers,	W. F. Neat,	J. H. Wilson—10.
F. M. Clement,		

Those who voted in the negative, were—

A. S. Berry,	G. G. Gilbert,	J. R. W. Smith,
S. H. Boles,	S. E. Hill,	E. R. Sparks,
J. W. Bryan,	L. M. Martin,	W. H. Taulbee,
W. W. Bush,	J. H. McDanell,	R. S. Triplett,
W. J. Caudill,	L. W. McKee,	Robert Walker,
C. M. Clay, Jr.,	F. D. Rigney,	F. T. D. Wallace—20.
W. H. Frederick,	J. T. Simon,	

The question was then taken on the adoption of the amendment proposed by Mr. Burnett to said bill, and it was decided in the negative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Simon, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	J. T. Simon,
S. H. Boles,	S. E. Hill,	J. R. W. Smith,
J. W. Bryan,	L. M. Martin,	E. R. Sparks,
W. W. Bush,	J. H. McDanell,	W. H. Taulbee,
W. J. Caudill,	L. W. McKee,	F. T. D. Wallace—17.
C. M. Clay, Jr.,	F. D. Rigney,	

Those who voted in the negative, were—

A. R. Byers,	H. T. Kendall,	Robert Walker,
W. H. Frederick,	R. S. Triplett,	J. H. Wilson—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Boles moved to reconsider the vote by which the Senate had passed said bill.

Mr. Sparks moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

An act to amend article 12, chapter 33, of the General Statutes, relating to bribery in elections.

Mr. Boles moved to amend said bill as follows, viz:

Strike out the third section and insert in lieu thereof the following: This act shall take effect and be in force from and after the first day of July, 1886.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the following words, occurring in section 19, article 12, chapter 33, of the General Statutes, be, and the same are hereby stricken out and repealed, viz: But the jury shall never convict any one under the provisions of this chapter upon the testimony of a single witness, unless sustained by strong corroborating circumstances.

§ 2. Any person prosecuted for violating sections 11, 12 and 13, or either of said sections of said article and chapter aforesaid, shall have the privilege of testifying in his own behalf, provided he shall so testify first and before he introduces any testimony; but his failure to testify shall not be considered and commented on at the trial of the defendant or accused.

§ 3. This act shall take effect and be in force from and after the first day of July, 1886.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, April 16, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

J. B Mordoff, Fleming county.
W. R. Dulaney, Kenton county.
P. S. Ford, Bourbon county.
Jno. M. Northcott, Bourbon county.
Dennis W. Lewis, Meade county.
C. M. McGlathen, Breckinridge county.
J. A. Sparks, Jessamine county.
J. D. Fritdzlan, Jessamine county.
F. U. Stirman, Daviess county.
John M. Brauner, Meade county.
Willett C. Trabue, Jefferson county.
S. G. Snoddy, Barren county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Taulbee, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of Thomas H. May, of Magoffin county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Boles moved an amendment to said bill.

Which was rejected.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of John T. Martin, of Trimble county, and to change the line between the counties of Henry and Trimble,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

And the question being taken thereon, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to establish a public school in Morganfield, in Union county;

An act to amend an act, entitled "An act to incorporate the Clarksville and Princeton Railroad Company," approved April 15, 1880;

An act to incorporate the Louisville Theatrical Mechanical Association, No. 8;

An act to amend an act, entitled "An act to provide for a registration of voters in the city of Louisville," approved April 28, 1884;

An act to amend an act, entitled "An act to incorporate the Springfield, Mackville and Willisburg Turnpike Road Company," chapter 226, approved March 3, 1856;

An act to incorporate the West Kentucky and Tennessee Railway Company;

An act to authorize the County Court of Carlisle county to issue bonds for the purpose of building and furnishing a courthouse and jail at their county site in said county, and to levy an ad valorem tax to pay the same;

And enrolled bills which originated in the Senate, of the following titles, viz:

An act in relation to and for the conditional repeal of an act, entitled "An act to incorporate the now existing Louisville Gas Company, and to grant it a new charter," approved April 30, 1884;

An act to incorporate the Cincinnati, Covington and Latonia Railway Company;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Neat reported that the committee had performed that duty.

Mr. Hill moved that the special order of the day be postponed, and that a call of the standing committees be had.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to incorporate the Hopkinsville Branch Railroad Company.

By same—

A bill to amend an act, entitled "An act to incorporate the Hopkinsville and Cadiz Railroad Company," approved April 8, 1884.

By Mr. Taulbee, from the Committee on Propositions and Grievances—

A bill for the benefit of Carrie Chandler, of Adair county.

By Mr. Hill, from the Committee on Courts of Justice—

A bill to amend section 28 of the Criminal Code of Practice.

By same—

A bill to regulate the advertisement of sales under orders and judgments of the Ohio Circuit Court.

By same—

A bill to amend the charter of the town of Taylorsville passed at the present session.

By same—

A bill to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous and malt liquors in the county of Fleming.

By same, from the Committee on Internal Improvements—

An act authorizing the Board of Directors of the Kentucky Bellefonte Iron Company to change the name of said corporation.

By Mr. Caudill, from the Committee on Internal Improvements—

An act to authorize John Finlayson & Company to keep a boom across the mouth of Beaver creek, in Floyd county, and to provide fees for boomage, etc.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to amend an act, entitled "An act to prohibit the sale and restrain the bartering of spirituous, vinous and malt liquors in school district No. 17, now 23, including the town of Clinton, in Hickman county."

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act in relation to working the public highways in the town of Newfoundland, in Elliott county.

By same—

An act to authorize the County Court of Daviess county to acquire ground for and to build a new jail and Jailer's residence for said county, and to provide means to pay for same.

By same—

An act for the benefit of Andrew J. Gibony, Jr., of Casey county.

By Mr. Frederick, from the Committee on Internal Improvements—

An act for the benefit of the Sardis and Blue Lick Turnpike Company.

By Mr. Burnett, from the Committee on General Statutes—

An act to incorporate the Transit Avenue Turnpike Road Company.

By Mr. Sparks from the Committee on Internal Improvements—

An act to incorporate the Corinth and Gaines' Fork Turnpike Company.

By Mr. Martin, from the Committee on the Judiciary—

An act authorizing the voters of Grant county to vote, September 20, 1886, on the proposition as to whether or not spirituous, vinous or malt liquors, or any mixture thereof, may be sold in Grant county as a beverage.

By Mr. Hays, from the Committee on Finance—

An act to incorporate the West End Ferry Company.

By Mr. Hill, from the Committee on Courts of Justice—

An act for the benefit of the town of Carrollton, and to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Carrollton," approved February 25, 1884.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to renew the charter of the Alexandria and Flagg Spring Turnpike Road Company, in Campbell county.

By same—

An act to provide for the improvement and keeping up the public roads and bridges in the fifth magisterial district in Todd county, known as the Trenton district, and to provide means therefor.

By Mr. Albritton, from the same committee—

An act to protect fish and game in the counties of Ballard and Carlisle.

By same—

An act to amend an act, entitled "An act to incorporate the Adair County Agricultural Association," approved April 28, 1884.

By Mr. Sparks, from the same committee—

An act to amend an act, entitled "An act to incorporate the Deep Creek Bridge and Gravel Switch Turnpike Road Company, in Washington and Marion counties."

By same—

An act to incorporate the Mackville and Bethel Turnpike Road Company, in Washington county.

By same—

An act to incorporate the Goggin's Ferry Turnpike Road Company.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to incorporate the Louisville Real Estate and Trust Association.

By Mr. Bryan, from the same committee—

An act to amend an act, entitled "An act for the incorpo-

ration and regulation of fire, marine, health, accident, live stock, and all other except life insurance companies," approved March 12, 1870.

By same—

An act to amend an act, entitled "An act for the incorporation and regulation of life insurance companies," approved March 12, 1870.

By Mr. Hill, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Eminence, in Henry county."

By same—

An act for the benefit of Lewis county, providing for cross-indexing the records of the Quarterly Court.

By Mr. Taulbee, from the same committee—

An act to amend an act, entitled "An act for the benefit of the Clerks of the County Courts of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan and Simpson counties," became a law without approval, January 10, 1873.

By same—

An act to declare Grassy creek, in Morgan county, a navigable stream.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to incorporate the Louisville and Madison Railway Company.

By Mr. Berry, from the Committee on Education—

An act to amend an act, entitled "An act to provide for the payment of debts contracted in building and furnishing a school-house, and for maintaining a school in district No. 1, in Pendleton county," approved March 28, 1884.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to incorporate the Sacramento and Central City Railway Company.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to incorporate the Riverside Turnpike Company.

With amendments to the four last-named bills, which were adopted.

Ordered, That said bills, the four last as amended, be severally read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Hays—

1. A bill to amend the charter of the Mexican War Veterans.

On motion of Mr. Gilbert—

2. A bill to amend the charter of the town of Taylorsville.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st, and the Committee on Internal Improvements the 2d.

Mr. Ogilvie, from the Committee on Religion and Morals, to whom was referred a joint resolution which originated in the House of Representatives, entitled

Resolution in regard to the death of John Smith Barlow,

Reported the same without amendment.

Said resolution reads as follows, viz:

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That by the recent death of Hon. John Smith Barlow, of Barren county, ex-Senator and ex-Representative, the State has lost a pure, an honest and useful citizen, his family a kind and affectionate member, and his neighbors a true and faithful friend.

2. *Resolved*, That we hereby extend to the people of his county for their loss and to his family in their bereavement, our sincere sympathy and condolence.

3. *Resolved*, That these resolutions be spread upon the Journals of the House and Senate, and that a copy be engrossed and forwarded to the family of the deceased.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

On motion of Mr. Ogilvie, the Senate then adjourned.

SATURDAY, APRIL 17, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives announcing that they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to incorporate the Fourth Avenue Park Turnpike Company, in Jefferson county.

That they had refused to concur in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to repeal chapter 1445 of an act, entitled "An act to amend an act to prohibit the sale of spirituous, vinous and malt liquors in the counties of Laurel, Rockcastle, Jackson, Owsley and Clay," approved April 4, 1884.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Louisville School of Pharmacy for Women," approved March 8, 1884.

An act to amend an act, entitled "An act to authorize the voters of Livingston county to vote on the question of removing the county seat, providing for the location of the county seat and building a court-house, jail and clerks' offices of said county seat," approved March 7, 1884.

An act in relation to the State road in Crittenden county, leading from Weston to the Caldwell county line.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following

titles were reported from the several committees to whom they had been referred, viz:

By Mr. Triplett, from the Committee on Library, Public Buildings and Offices—

An act to amend an act, entitled "An act creating a new charter for the city of Owensboro," approved March 18, 1882.

By Mr. Taulbee, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to incorporate the Carbondale Coal Company."

By Mr. Hill, from the same committee—

An act for the benefit of Summit Station Turnpike Road Company.

By Mr. Albritton, from the Committee on Internal Improvements—

An act to amend the charter of the Russellville District Turnpike Company, and reduce into one the several acts relating thereto.

By same—

An act to incorporate the Case Crowder and Baker Turnpike Road Company.

By same—

An act to amend the charter and change the name of the Dorseyville Turnpike Road Company.

By same—

An act to provide for working the Sardis and Blue Lick Turnpike Road, in Mason and Robertson counties.

By same—

An act for the benefit of the New Liberty and Dallasburg Turnpike Road Company.

By Mr. Byers, from the same committee—

An act to amend and reduce into one the act incorporating the Hardensburg and Cloverport Turnpike Road Company, and the several acts amendatory thereof.

By same—

An act to incorporate the Breckinridge Company, limited, of London, England.

By Mr. Hill, from the Committee on Courts of Justice—

An act to incorporate the Owensboro Gas-light Company.

By Mr. Byers, from the Committee on Internal Improvements—

An act to incorporate the Pigeon Roost Creek Coal Company, in Whitley county.

By same—

An act to incorporate the Pulaski Mineral and Timber Company.

By Mr. Burnett, from the Committee on General Statutes—

An act for the benefit of B. W. Burchett, late Sheriff of Carter county.

By same—

An act for the benefit of F. M. Spurrier, lately a deputy Sheriff of Grayson county.

By Mr. Albritton, from the Committee on Internal Improvements—

An act for the benefit of the Hayden's Corner and Forest Grove Turnpike Company.

By Mr. Wallace, from the Committee on General Statutes—

An act to authorize and empower W. W. Robertson, late Judge of the Marshall Circuit Court, to sign certain orders made by him as such Judge.

By Mr. Burnett, from the same committee—

An act to create the office of County Treasurer, of Pulaski county, and prescribe the duties of same.

By Mr. Albritton, from the Committee on Internal Improvements—

An act for the benefit of the Mayslick and Helena and Mayslick and Elizaville Turnpike Roads.

By same—

An act to regulate the voting of stock in Mayslick and Mill Creek Turnpike Road.

By Mr. Bryan, from the Committee on the Judiciary—

An act to incorporate the Covington City Street Sprinkling Company.

By same—

An act to extend the corporate limits of the town of Independence, in Kenton county.

By same—

An act to incorporate the Independence and Bank Lick Turnpike Road Company.

By same—

An act for the benefit of J. K. Reynolds, of Graves county.

By same—

An act for the benefit of W. J. Webb, of Graves county.

By Mr. Taulbee, from the Committee on Propositions and Grievances—

An act declaring the Panther Fork of Wolf creek a navigable stream.

By same—

An act for the benefit of Harrison Eaton, of Barren county, and to change the line between the counties of Barren and Metcalfe.

By same—

An act to declare Pricy creek, in Magoffin county, a navigable stream.

By Mr. Hill, from the Committee on Banks and Insurance—

An act to amend the charter of the American Mutual Aid Society.

By Mr. Clement, from the Committee on Privileges and Elections—

An act to establish an additional voting precinct on the North Rolling Fork, at Minor's Store, in Boyle county.

By Mr. Taulbee, from the Committee on Religion and Morals—

An act to constitute and create Hayden's Corner local option district, in Clark county.

By same—

An act to prohibit the sale of intoxicating liquors at or within one mile of the Leestown Presbyterian Church, in Franklin county.

By same—

An act to prohibit the sale of liquors within one mile of the church, in the town of Claysville, in Webster county.

By same—

An act to prohibit the manufacture or sale of spirituous, vinous or malt liquors within the limits of common school dis-

trict No. 33, known as Mount Pleasant District, in Barren county.

By same—

An act to prohibit the sale of spirituous, vinous and malt liquors, in certain precincts in Pulaski county, and to provide for a vote thereon.

By same—

An act to prohibit the sale of any spirituous, vinous or malt liquors, or mixtures thereof, within school district No. 9, in Garrard county.

By same—

An act to amend an act, entitled "An act to incorporate the Lancaster Cemetery Company," approved December 15, 1863, increasing the powers and duties of the trustees of the company.

By Mr. Byers, from the Committee on Internal Improvements—

An act to amend and reduce into one the several acts concerning the town of Stephensport, in Breckinridge county.

By same—

An act to incorporate the Kentucky Water-works Construction Company.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Public Expenditures—

A bill to improve the tax system of the city of Louisville.

By same—

A bill concerning license taxes in the city of Louisville.

By Mr. Hill, from the Committee on Courts of Justice—

A bill relating to the Hartford graded school, known as Hartford College.

By same—

A bill to legalize certain orders of the Shelby County Court.

By Mr. Albritton, from the Committee on Internal Improvements—

A bill to incorporate the Sunrise and Pugh's Ferry Turnpike Road Company.

By Mr. Burnett, from the Committee on General Statutes—

A bill to amend section 26, of the General Statutes.

By Mr. Wallace, from the same committee—

A bill to prevent the running at large of horses, cows, sheep, hogs and other domestic animals in Christian county.

By same—

A bill to amend an act, entitled "An act to incorporate the Mutual Benefit Association of the West Virginia Conference of the M. E. Church, South," approved March 6, 1880.

By Mr. Taulbee, from the Committee on Religion and Morals—

A bill to amend the charter of the association of Good Samaritans in Paducah, McCracken county.

By same—

A bill to amend an act, entitled "An act to incorporate the town of Dunville, in Casey county," approved March 30, 1878.

By same—

A bill to amend an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors within one and a half miles of Shady Grove Church, in Casey county," approved February 21, 1884.

By Mr. Hill, from the Committee on Courts of Justice—

A bill to authorize the Shelby County Court to levy and collect certain taxes for turnpike purposes in said county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Riverside Turnpike Company.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. J. R. W. Smith,

Ordered, That said bill be recommitted to the Committee on Agriculture and Manufactures.

Mr. Burnett, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend chapter 105, General Statutes, title "Surveyors,"

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Rigney moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

The Speaker appointed Mr. Clay a member of the Committee on Enrollments.

Mr. Clay, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale, giving or loaning of any spirituous, vinous or malt liquors, or any mixture thereof, within three miles of Roaring Springs, in Trigg county;

An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, in the town of Danville, Boyle county, or within two miles of the limits thereof;

An act to incorporate the Fourth Avenue Park Turnpike Company, in Jefferson county;

Resolution in relation to convict labor;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the Wilmore and Kentucky River Turnpike Road Company, in Jessamine county;

An act to amend an act, entitled "An act to incorporate the Dayton and Ohio River Turnpike Company, in Campbell county," approved April 4, 1884;

An act to incorporate the Junction City and Bradfordsville Turnpike Road Company;

An act to incorporate the Union Club, of Louisville, Ky.;

An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of Bethel Church and school-house, in Barren county;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Clay reported that the committee had performed that duty.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of Ewell G. Phillips, of Jefferson county,

Asked to be discharged from the further consideration of said leave.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said matter fell into the orders of the day.

Mr. Wallace, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend section 5, article 2, of chapter 536, of General Statutes,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Gilbert moved an amendment to said bill.

Which was rejected.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Taulbee, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act to prohibit the sale of spirituous, vinous and malt liquors, in the county of Muhlenberg,

Reported the same without amendment.

On motion of Mr. Hill,

Ordered, That said bill be recommitted to the Committee on Religion and Morals.

Mr. Wilson, from the Committee on Fish Culture, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of H. J. Jones, of Laurel county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Bryan, from the Committee on Penitentiary and House of Reform, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 8, 1880,

Reported the same without amendment.

On motion of Mr. Bryan,

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Wednesday, April 21st, at 11 o'clock A. M., and from day to day until disposed of.

Mr. J. R. W. Smith, from the Committee on Charitable Institutions, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of the Kentucky Institution for the Education of Deaf Mutes, at Louisville,

Reported the same without amendment.

On motion of Mr. J. R. W. Smith,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday next, April 20th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Boles moved to reconsider the vote by which a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky,

Was made the special order of the day for Thursday, April 22d, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Boles,

Ordered, That said bill be made the special order of the day for Tuesday next, April 20th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Taulbee, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to repeal an act, entitled "An act prescribing the

manner of selling the sulphate and other preparations of morphine and opium in this State, and for other purposes," approved February 19, 1886, and to prescribe the manner of selling the sulphate and other preparations of morphine in this State,

Reported the same without amendment.

On motion of Mr. Hill,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday next, April 21st, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Wilson moved to reconsider the vote by which the Senate had adopted a joint resolution, entitled

Resolution providing for *sine die* adjournment of the General Assembly.

Which motion was simply entered.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Byers—

1. A bill to tax barbecues in Breckinridge county.

On motion of Mr. Burnett—

2. A bill for the benefit of the branch Penitentiary at Eddyville.

On motion of Mr. Gilbert—

3. A bill authorizing the Shelby County Court to levy and collect certain taxes for turnpike purposes in said county.

On motion of Mr. Bush—

4. A bill to amend subsection 2, of subsection 8, of section 194, Civil Code of Practice.

On motion of Mr. Triplett—

5. A bill, entitled "An act to authorize the Daviess County Court to borrow and use its surplus funds collected for railroad, bond and coupon purposes in constructing a new jail."

On motion of Mr. J. R. W. Smith—

6. A bill to improve the tax system of the city of Louisville.

On motion of same—

7. A bill concerning license taxes in city of Louisville.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Penitentiary and House of Reform the 2d; the Committee on Courts of Jus-

tice the 3d; the Committee on Codes of Practice the 4th; the Committee on Finance the 5th, and the Committee on Public Expenditures the 6th and 7th.

On motion of Mr. Bryan, the Senate then adjourned until Monday next, April 19th, at 11 o'clock A. M.

MONDAY, APRIL 19, 1886.

The reading of the Journal of Saturday was dispensed with.

On motion of Mr. Clement, leave of absence, indefinitely, was granted Mr. Neat.

A message was received from the House of Representatives announcing that they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to provide for and regulate the holding of examining courts in this Commonwealth, and fixing the fees of the County Judge, Justices of the Peace and Police Judges and other officers when sitting in examining courts.

An act to incorporate the Sacramento and Central City Railway Company.

An act to incorporate the Louisville and Madison Railway Company.

An act to amend an act, entitled "An act to provide for the payment of debts contracted in building and furnishing a school-house, and for maintaining a school in district No. 1, in Pendleton county," approved March 28, 1884.

That they had disagreed to a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to provide and main-

tain public schools in Cloverport, Breckinridge county," approved February 23, 1876.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Cowan Station and Licking Valley Turnpike Road.

An act in relation to the town of Canmer, in Hart county.

An act to incorporate the Caney Fork Baptist Church, in Owen county.

An act to amend an act to incorporate the Economic Heating Company.

An act to amend the charter of the New National Turnpike Company, composed of the Jefferson and Bullitt and National Turnpike Company consolidated. Said act approved — day of ——, 188–.

An act to amend the charter of the town of Montgomery, in Trigg county.

An act to incorporate the Central Market, of Louisville.

An act to incorporate the National Railroad Agents' Association.

An act to amend an act to authorize Lawrence County Court to issue bonds.

An act repealing part of section 9, article 4, of an act to amend and reform the common school laws of this Commonwealth, approved May 12, 1884.

An act to incorporate the Hopkinsville Branch Railroad Company.

An act to extend the limits and change the boundary of the city of Cynthiana.

An act to prohibit the sale or gift of vinous, spirituous or malt liquors within two miles of Green Briar Baptist Church, in Daviess county, or within two miles of New Bethel Methodist Church, in Ohio county.

An act to amend the charter of the city of Covington.

An act to repeal an act, entitled "An act to declare and amend the law relative to principals and factors or agents."

An act regulating the business of pawnbrokers in certain cities of the State of Kentucky.

That they had passed bills of the following titles, viz:

1. An act to prohibit the sale of spirituous, vinous and malt liquors and mixtures of same in the Cayce precinct, in Fulton county, and to authorize a vote thereon.

2. An act declaring Billey's fork and Stewart's fork, of Miller creek, in Estill county, navigable streams.

3. An act for the benefit of Geo. M. Miller, County Attorney of Monroe county.

4. An act to further regulate the conduct of elections in the city of Covington.

5. An act in relation to prohibiting the sale of spirituous, vinous and malt liquors in Union and McLean counties.

6. An act to regulate the location and maintenance of pest houses for the treatment of eruptive or infectious or contagious diseases.

7. An act for the benefit of Daniel L. Cunningham, F. Burch and Wm. C. Williams, of Grant county.

8. An act to make Big Barren river a lawful fence from Allen county line to Bowling Green.

9. An act to authorize the Circuit Court Clerks of Magoffin and Morgan counties to make a cross-index to the judgment books of said counties.

10. An act to amend an act, entitled "An act to incorporate the town of Horse Cave, in Hart county," approved March 15, 1869.

11. An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Auburn, in Logan county."

12. An act to authorize the trustees of the town of Auburn to issue bonds for street purposes, and to levy a tax to pay the interest and to create a sinking fund for the redemption of said bonds.

13. An act for the benefit of the sureties of Wilson Barnett, late Sheriff of Menifee county.

14. An act to amend an act, entitled "An act to incorporate the Bradford and Lenoxburg Turnpike Road Company, and to authorize the levying of a tax to keep said road in repair."

15. An act to amend an act incorporating the Paint Lick, Walnut Meadow and Big Hill Turnpike Road, in Madison county.

16. An act to amend the charter of the Georgetown and Dry Ridge Turnpike Company, in Scott county.

17. An act to amend an act, entitled "An act to incorporate the Winchester Lighting Company," approved April 22, 1882.

18. An act to protect the health of citizens on the lines of railroads in Grayson county.

19. An act to legalize the action of the Funding Board, precinct No. 3, Livermore, McLean county.

20. An act to prevent stock from running at large in Magisterial Districts Nos. 5 and 6, in Todd county.

21. An act to repeal an act, entitled "An act to amend the charter of the Danville and Hustonville Turnpike Road Company."

22. An act changing the boundary line between the counties of Clay and Laurel.

23. An act changing the time of holding the Court of Claims of Mason county.

24. An act to amend an act, entitled "An act to recharter the town of London, Laurel county."

25. An act to amend section 23 of an act, entitled "An act to reduce into one all the acts concerning the town of Edmonton," approved March 18, 1871.

26. An act for the benefit of G. F. Byrd, late Sheriff of Wolfe county, and his sureties.

27. An act to amend the charter of the town of Gratz, in Owen county.

28. An act to amend the charter of the town of Central City, in Muhlenberg county.

29. An act to incorporate the Western Kentucky Mining, Manufacturing and Transportation Company.

30. An act to incorporate the Standard Normal University.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 2d, 8th and 19th to the Committee on Propositions and Grievances; the 3d, 13th and 26th to the Committee on Claims; the 4th and 23d to the Committee on the Judiciary; the 5th to the Committee on Religion and Morals;

the 6th to the Committee on Public Health; the 7th to the Committee on Military Affairs; the 9th and 28th to the Committee on Courts of Justice; the 10th and 28th to the Committee on Codes of Practice; the 11th and 12th to the Committee on Charitable Institutions; the 14th to the Committee on Executive Affairs; the 15th and 18th to the Committee on Internal Improvements; the 16th to the Committee on Immigration and Labor; the 17th, 20th, 21st and 29th to the Committee on Agriculture and Manufactures; the 22d and 24th to the Committee on General Statutes; the 27th to the Committee on Finance; and the 30th to the Committee on Education.

And the first-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

An act providing for refunding fees paid to the Register of the Land Office, but for which the services have not been and cannot be rendered.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives announcing that they had passed a bill, entitled

An act to amend an act, entitled "An act to regulate voting at primary elections, and prevent fraud therein, for the benefit of Harrison, Robertson, Campbell and Kenton counties," approved April 19, 1880, and apply the provisions thereof to Woodford and Jessamine counties.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Bush proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to amend an act, entitled "An act to regulate voting at primary elections, and prevent fraud therein, for the benefit of Harrison, Robertson, Campbell and Kenton counties," approved April 19, 1880, and apply the provisions thereof to Woodford, Jessamine and Simpson counties.

The Senate took up for consideration amendments adopted by the House of Representatives to bills which originated in the Senate, of the following titles, viz:

An act to regulate the sale of spirituous, vinous and malt liquors in Allen county.

An act to incorporate Salem Baptist Church, and to prevent the sale of liquors within three miles thereof.

And the question being taken on concurring in the adoption of said amendments, it was decided in the affirmative.

The Senate took up for consideration a joint resolution, entitled

Resolution providing for an adjourned session of the General Assembly.

Mr. Alford asked leave to withdraw said resolution from the further consideration of the Senate.

Which, by unanimous consent, was granted.

The Senate took up for consideration bills of the following titles, viz.

An act authorizing and empowering Arthur and Wilcox and Luke Dees, their heirs or assignees to sue the Commonwealth of Kentucky to recover and have refunded to them the purchase money paid the State for lands purchased and entered by said Arthur and Wilcox and Luke Dees in the counties west of Tennessee river under the act of January 3, 1825, and prior to February 28, 1835.

An act to amend an act approved April 19, 1884, entitled "An act to amend the charter of the Beaver Creek and Cumberland River Coal Company, organized under chapter 56 of the General Statutes, approved February 24, 1882."

The question being upon the passage of said bills.

And the question being taken thereon, it was decided in the aaffirmtive.

Resolved, That the titles of said bills be as aforesaid.

Mr. Clay, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to provide for and regulate the holding of examining courts in this Commonwealth, and fixing the fees of the County Judge, Justices of the Peace, Police Judges and other officers when sitting in examining courts;

An act to declare Grassy creek, in Morgan county, a navigable stream;

An act for the benefit of Andrew J. Gibony, Jr., of Casey county;

An act to protect fish and game in the counties of Ballard and Carlisle;

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock, and all other except life insurance companies," approved March 12, 1870;

An act to amend an act, entitled "An act for the incorporation and regulation of life insurance companies," approved March 12, 1870;

An act to amend an act, entitled "An act for the benefit of the Clerks of the County Courts of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan and Simpson counties," became a law without approval, January 10, 1873;

An act in relation to working the public highways in the town of Newfoundland, in Elliott county;

An act to authorize the Daviess County Court to purchase and construct gravel or turnpike roads, and to provide means for payment of same;

An act to incorporate the West End Ferry Company;

An act to amend an act, entitled "An act to incorporate the Adair County Agricultural Association," approved April 28, 1884;

An act to authorize John Finlayson & Company to keep a boom across the mouth of Beaver creek, in Floyd county, and to provide fees for boomage, etc.;

An act to incorporate the Louisville and Madison Railway Company;

An act to provide for the improvement and keeping up the public roads and bridges in the fifth magisterial district in Todd county, known as the Trenton district, and to provide means therefor;

An act to incorporate the Transit Avenue Turnpike Road Company;

An act to renew the charter of the Alexandria and Flagg Spring Turnpike Road Company, in Campbell county;

An act to amend an act, entitled "An act to incorporate the Deep Creek Bridge and Gravel Switch Turnpike Road Company, in Washington and Marion counties;"

An act to incorporate the Uhls Branch and Four-mile Turnpike Road, in Campbell county;

An act to provide for working the Sardis and Blue Lick Turnpike Road, in Mason and Robertson counties;

An act to incorporate the Louisville Real Estate and Trust Association;

An act to authorize the County Court of Daviess county to acquire ground for and to build a new jail and Jailer's residence for said county, and to provide means to pay for same;

An act for the benefit of the Mayslick and Helena and Mayslick and Elizaville Turnpike Roads;

An act authorizing the Board of Directors of the Kentucky Bellefonte Iron Company to change the name of said corporation;

An act to amend an act, entitled "An act to provide for the payment of debts contracted in building and furnishing a school-house, and for maintaining a school in district No. 1, in Pendleton county," approved March 28, 1884;

An act to prohibit the sale of spirituous, vinous and malt liquors in the county of Fleming;

An act for the benefit of the Sardis and Blue Lick Turnpike Company;

An act to amend an act, entitled "An act to prohibit the sale and restrain the bartering of spirituous, vinous and malt liquors in school district No. 17, now 23, including the town of Clinton, in Hickman county;"

An act for the benefit of Lewis county, providing for cross-indexing the records of the Quarterly Court;

An act to regulate the voting of stock in Mayslick and Mill Creek Turnpike Road;

Resolution in regard to the death of John Smith Barlow, of Barren county;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to repeal chapter 1430, Local and Private Acts, 1883–4;

An act to amend the charter of the Bloomfield and Springfield Turnpike Road Company, approved January 23, 1854;

An act to amend the charter of the Newport and Licking Turnpike Company;

An act to amend an act, entitled "An act to regulate the management of turnpike roads in Robertson and Nicholas counties," approved March 10, 1886;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Clay reported that the committee had performed that duty.

The Senate took up for consideration a bill, entitled

An act for the benefit of H. J. Jones, of Laurel county.

The question pending being on the passage of said bill.

And the question being taken thereon, it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Wilson moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Burnett read and laid on the table a joint resolution, entitled

Resolution for the benefit of R. A. Burnett, F. M. Clement, J. H. Wilson, J. P. Newman, James Denton and R. W. Creal.

Which, under the rule, lies one day on the table.

The rule of the Senate requiring said resolution to lie over one day being dispensed with,

Said resolution was taken up and read as follows, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor is hereby instructed to draw his warrant on the Treasury in favor of R. A. Burnett, for the sum of $32.40, and J. H. Wilson, for $5.75, and F. M. Clement, for $1.85, committee on part of Senate, and J. P. Newman, for the sum of —— and James Denton, for the sum of $5.75, and R. W. Creal, for the sum of $9.75, committee on part of House to investigate the treatment of convicts, etc., for expenses incurred in discharge of the duties assigned them, to be paid out of any money in the Treasury not otherwise appropriated.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Rigney, from the Committee on Public Expenditures—

An act to incorporate the Junction City and Danville Turnpike Road Company, in Boyle and Lincoln counties.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873.

By same—

An act to empower the Boyle County Court to subscribe stock to a turnpike road leading from Mitchellsburg to Rolling Fork.

By same—

An act to amend an act, entitled "An act to amend and reduce into one all the acts in relation to the town of Junction City."

By Mr. Albritton, from the Committee on Agriculture and Manufactures—

An act to incorporate the Breckinridge County Running and Trotting Horse Association.

Ordered, That said bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Wallace, from the Committee on Education—

A bill to amend an act to incorporate the Wingo High School Company, approved May 1, 1884.

By Mr. Wilson, from the Committee on General Statutes—

A bill to prohibit the sale of spirituous, vinous or malt liquors or intoxicating beverage in quantities less than ten gallons within five miles of Union College, in Knox county.

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to incorporate the Great Western Stock Breeders' Association.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with.

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

An act to amend section 10, of chapter 37, of the General Statutes.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 10, of chapter 37, of the General Statutes, be and the same is amended as follows: That all of said section after the word "courts" in the fourth line thereof be and is hereby stricken out, and the following enacted in lieu thereof, to wit: "And the County Court of said county shall make a reasonable allowance therefor, which shall be chargeable to the county."

§ 2. All laws or parts of laws in conflict with this act are hereby repealed.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to prohibit the manufacture or sale of spirituous, vinous and malt liquors within two miles of the school-house in district No. 54, in Barren county.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

An act amendatory of the charter of the Tellico-Jellico Mountain Coal Company, secured under chapter 56, of the General Statutes of Kentucky, on the ——— day of ———, 1885.

The question pending being on the motion heretofore entered by Mr. Wilson to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was rejected.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act regulating tax on circuses, menageries, theatres, etc., in Kentucky," approved March 14, 1876.

The question pending being on the motion heretofore entered by Mr. Wilson to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

The Senate took up for consideration a joint resolution, entitled

Resolution fixing the time of *sine die* adjournment of General Assembly.

Mr. Clay moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

So said resolution was rejected.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Albritton—

1. A bill to amend an act to incorporate the Wingo High School Company, in Graves county.

On motion of Mr. Alford—

2. A bill to incorporate the Commonwealth Coal, Iron and Railroad Company.

Ordered, That the Committee on Education prepare and bring in the 1st, and the Committee on Railroads the 2d.

On motion of Mr. Boles, the Senate then adjourned until tomorrow at 10 o'clock A. M.

TUESDAY, APRIL 20, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Muhlenberg County Telephone Company.

An act to amend an act, entitled "An act to amend and reduce into one the acts relating to the town of Russellville," approved May 1, 1880.

An act to amend an act, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved April 1, 1880, and the amendments thereof, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved March 13, 1884, and an act to amend an act, entitled "An act to incorporate the Kentucky and Indiana Bridge Company," approved April 1, 1880, approved May 3, 1884.

Resolution authorizing loaning of cannon to Confederate Re-union Association, at Cynthiana.

Resolution in relation to convict labor.

That they had passed a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870.

With an amendment thereto.

That they had adopted a resolution and passed bills of the following titles, viz:

1. Resolution directing the removal of the remains of Col. Ezekiel Fields and their interment in the State lot in the cemetery at Frankfort.

2. An act rewarding persons in this State finding and bringing ashore dead bodies of human beings from any navigable stream in this State.

3. An act to declare Brusch creek, in Floyd county, a navigable stream.

4. An act to repeal an act, entitled "An act to authorize W. O. B. Ratliff and others to erect a boom across Shelby creek, in Pike county."

5. An act to suppress and prevent the spread of pleuro-pneumonia and other infectious and contagious diseases among neat cattle in this State.

6. An act regulating the admission of evidence of disputed handwriting by comparison.

7. An act to amend the act, entitled "An act to incorporate

the town of Williamstown, in Grant county," and the several amendments thereto.

8. An act to amend section 5, article 29, chapter 29, of the General Statutes, entitled "Crimes and Punishments."

9. An act providing for the assessment and collection of taxes on the Providence Branch of the Louisville and Nashville Railroad Company.

10. An act for the benefit of the Clerks of the Circuit and County Courts and other officers of this Commonwealth.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the 1st to the Committee on Military Affairs; the 2d and 6th to the Committee on the Judiciary; the 3d to the Committee on Propositions and Grievances; the 4th to the Committee on Agriculture and Manufactures; the 5th to the Committee on Public Health; the 7th to the Committee on Executive Affairs; the 8th to the Committee on General Statutes; and the 9th to the Committee on Railroads.

And the tenth-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wilson read and laid on the table a joint resolution, entitled

Resolution for the benefit of Thomas Francis, of Whitley county.

Which, under the rule, lies one day on the table.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That Thomas Francis, of Whitley county, be, and he is hereby, allowed the sum of $30 for his services as stenographer of Kensee coal mines, for the committee investigating the treatment of convicts in coal mines; and the Auditor is hereby directed to draw his warrant on the Treasurer in favor of said Francis for said sum of $30, to be paid out of any money in the Treasury not otherwise appropriated.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

The Speaker appointed Mr. Rigney a member of the Committee on Agriculture and Manufactures.

The Senate took up for consideration the motion heretofore entered by Mr. Hill to reconsider the vote by which the Senate had adopted an amendment proposed by Mr. J. R. W. Smith to a bill, entitled

An act to incorporate the Jefferson Natural Gas Company.

And the question being taken thereon, it was decided in the affirmative.

Mr. J. R. W. Smith, by unanimous consent, withdrew said amendment from the further consideration of the Senate.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Taulbee, from the Committee on Federal Relations, to whom was recommitted a joint resolution entitled

Resolution to pay for services of slaves,

Reported the same without amendment.

Said resolution reads as follows, viz:

WHEREAS, On February 24, 1864, Congress passed an act to amend an act, entitled "An act for enrolling and calling out the national forces and for other purposes," approved March 3, 1863. The twenty-fourth section of said act, approved February 24, 1864, provided for the payment to certain citizens of the United States to whom colored volunteers or drafted men owed services or labor $300 compensation and $100 bounty for the payment of said services, the money derived from commutation as appropriated. And again, Congress passed an act, approved July 28, 1866, the second section of which re-appropriated the same commutation fund for the same purpose it had been appropriated by the twenty-fourth section of the act approved February 24, 1864. On January 14, 1867, Congress passed an act suspending the payment of any money from the Treasury as compensation to persons claiming the services or labor of colored volunteers or drafted men. On March 30, 1867, Congress passed a joint resolution suspending all proceedings in relation to the payment for services of slaves drafted or received as volunteers in the military services of the United States; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators and Representatives in Congress be instructed to urge the early repeal of all acts or parts of acts inconsistent with the said twenty-fourth section of the act of Congress approved February 24, 1864, that said act may assume its original force, thereby enable the United States to absolve its obligation to pay for said services.

Be it further resolved, That his Excellency, J. Proctor Knott, Governor of this Commonwealth, have forwarded to each of our Senators and Representatives in the Congress of the United States a copy of these resolutions under the seal of the State.

Mr. Triplett moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said resolution, and a quorum of the Senate not voting thereon, said resolution fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Triplett and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were--

A. S. Berry,	L. M. Martin,	W. H. Taulbee,
S. H. Boles,	J. H. McDanell,	F. T. D. Wallace,
J. W. Bryan,	F. D. Rigney,	J. H. Wilson—10.
F. M. Clement,		

Those who voted in the negative, were—

R. A. Burnett,	W. M. Cravens,	L. W. McKee,
W. W. Bush,	John Feland,	J. R. W. Smith,
A. R. Byers,	W. H. Frederick,	R. S. Triplett—9.

On motion of Mr. McKee,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to authorize the voters of Livingston county to vote on the question of removing the county seat, providing for the location of the county seat and building a court-house, jail and clerks' offices of said county seat," approved March 7, 1884.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. McKee moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

The Senate, according to order, took up for consideration a bill, entitled

An act to provide additional legal remedies for the collection of the interest on the bonds of Providence district, in Webster county, and for the collection of said bonds when due.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever there is a vacancy in the office of Sheriff of Webster county, or when the Sheriff, in office, shall fail to give the special bond required by the provisions of an act, entitled "An act to incorporate the Madisonville and Shawneetown Straight Line Railroad Company," approved February 18, 1870, and no suitable person can be obtained to act as collector of the taxes levied or to be levied by the County Court of Webster county on the tax payers of Providence district in said county, to pay the interest on the said district's bonds issued under and by virtue of said act, then it shall be lawful for the holders of said bonds, or any one or more of them, to file a petition in equity in the Webster Circuit Court, in the nature and form of a civil action against the tax payers of said district by name, or such of them as may be designated by order of the court as herein provided. Said petition shall set forth the number, amount and face value of the bonds held by the petitioner or petitioners; the amount of interest thereon due and unpaid, and when due; the facts under which the bonds were paid, and the inability of the holders thereof to collect the interest so due and unpaid; and that the remedies given by the act under which said bonds were issued are insufficient to secure the collection of said interest. The cause shall progress and conform to the rules of practice regulated by the Civil Code, except when otherwise provided in this act. Full jurisdiction is hereby conferred upon the Webster Circuit Court to hear and determine said matter. On the filing of said petition in the Clerk's office of the Webster Circuit Court, and it being made to appear by satisfactory evidence that the question set up in the petition involves a common or general interest of many persons, that the parties are numerous, and that it would be impracticable to bring them before the court in a reasonable time, then the said court in term time, or the Judge thereof in vacation, by order in writing filed in the cause, may designate

the names of three of the tax payers of the Providence district who reside therein, on whom process may be served, and who may defend for all of the defendants. The service of process on the parties so named, shall be deemed and held as a service on all the tax payers of said district bound for said tax. The process shall be issued and served as other process in civil actions.

§ 2. On the hearing of said cause by the court, if it shall appear that the plaintiffs are the holders of bonds issued by said Providence district under the provisions of the act, entitled "An act to incorporate the Madisonville and Shawneetown Straight Line Railroad Company," approved February 15, 1870, that interest coupons are due and unpaid, that said bonds are valid legal obligations, and the remedies given in said act for the collection of the taxes levied or to be levied by the Webster County Court to pay said interest are insufficient to secure the collection of said interest, then the said Circuit Court in term time shall, by judgment or appropriate order, direct and require each tax payer of said district to appear before the master commissioner or other commissioner appointed by the court, and pay over to him the amount of taxes due by each tax payer respectively, on account of levies to pay the interest on said bonds. The judgment or order so made shall set forth the sums to be paid by each tax payer for the several years in which such taxes are due and unpaid, not exceeding the amount levied for the purpose by the County Court of said county. The commissioner shall give to each tax payer a receipt for the taxes paid, specifying the sums paid, and the year or years for which the taxes were due. The court shall have full power to enforce all judgments or orders in the cause or causes by rule and attachment, as in case of contempt, and to make all necessary orders for enforcing the payment of said taxes and the distribution of the funds.

§ 3. If the office of master commissioner shall be vacant, or for any cause he shall be incapable of acting, the court, by its order, may appoint a special commissioner who shall act in the place of the master commissioner, and have all the powers conferred by law upon said office. The special commissioner so appointed shall be a citizen of this State over the age of twenty-one years, and, before proceeding to act, shall take the oath and execute bond with sureties to be appointed by the court in the same form and manner and the same in substance as is required by law of a master commissioner; said bond shall be recorded on the order book of said court.

§ 4. In ascertaining and fixing the amount of taxes to be paid by the several tax payers of said district, the court shall have reference to the Assessor's books of Webster county containing the lists for said district, and also the levies made and to be made by the County Court of said county to pay the interest on said bonds, and the court, for good cause, may take other

satisfactory evidence to enable it to correctly fix and determine the sums to be paid for the years in which levies have been made; the amount ordered to be paid shall in no case exceed the levies of said County Court.

§ 5. When the taxes have been paid to the commissioners as provided in the orders of the court, it shall be the duty of the court by appropriate orders to apply the fund in payment of the interest coupons due and unpaid so far as the fund will go; said coupons shall be produced and filed with the commissioner, who shall report to the court, and when paid they shall be canceled and destroyed. The court shall take control of all moneys paid over to the commissioner, and by proper orders apply the same in payment of said coupons; the taxes levied for each year to be applied as far as may be in payment of the interest maturing in that year. If the holders of all of said bonds are not before the court, it may be lawful for the court, on motion and notice, to rule and require the absent holders to produce and file their coupons. If any of the holders of said bonds refuse to join as plaintiffs in the petition, they may be made defendants and proceeded against as such. The court shall see that the rights of all parties in interest are properly protected. The commissioner shall report regularly at each term or oftener if required by the court, showing the amount of funds collected, from whom collected, to whom and when payments are made and his actions in the case.

§ 6. The remedies given in this act for the collection of the interest on the bonds for said district are also given for the collection of said bonds when the same become due.

§ 7. This act shall take effect on its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clement and Burnett, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry, W. H. Frederick, L. M. Martin—3.

Those who voted in the negative, were—

R. A. Burnett,	Henry Dixon,	J. R. W. Smith,
W. W. Bush,	John Feland,	W. H. Taulbee,
A. R. Byers,	G. G. Gilbert,	R. S. Triplett,
C. M. Clay, Jr.,	J. H. McDanell,	Robert Walker,
F. M. Clement,	L. W. McKee,	F. T. D. Wallace,
W. M. Cravens,	F. D. Rigney,	J. H. Wilson—18.

So said bill was rejected.

Mr. Clement moved to reconsider the vote by which the Senate had rejected said bill.

Mr. Cravens moved to lay said motion on the table.

Pending the consideration of said motion, the hour for the consideration of the special order of the day having arrived, further action thereon was cut off.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

Mr. Clay moved the following resolution, viz:

Resolved, That no member shall speak longer than five minutes at one time.

Which was twice read, and adopted.

Mr. Triplett moved that the Senate resolve itself into a Committee of the Whole on the state of the Commonwealth for the further consideration of said bill, and that same be considered section by section.

And the question being taken thereon, it was decided in the affirmative.

Whereupon, the Speaker of the Senate vacated the chair, and Mr. Clay was called to and occupied same.

After a time spent in the consideration of said bill the committee rose, the Speaker of the Senate resumed the chair, and Mr. Clay, the Chairman, reported that the committee had had under consideration a bill, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

And after proceeding with the consideration of the same, had risen and directed him to report the bill back to the Senate, with the expression of opinion that the consideration of said bill be postponed until to-morrow at 11 o'clock A. M., at which time said committee ask leave to sit again for the further consideration of said bill.

Which was granted.

The Senate took up for consideration the motion heretofore entered by Mr. Berry to reconsider the vote by which the Senate had refused to order to a third reading, the opinion of the committee to the contrary notwithstanding, a bill, entitled

An act in relation to the marital rights of husband and wife.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The Senate took up for consideration a bill, entitled

An act to provide for the payment into the Treasury of property in the hands of master commissioners, and which has escheated to the Commonwealth.

On motion of Mr. Bush,

Ordered, That said bill be recommitted to the Committee on the Judiciary.

The Senate took up for consideration the motion heretofore entered by Mr. J. R. W. Smith to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend the charter of the Newport and Dayton Street Railway.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was rejected.

The Senate took up for consideration the motion heretofore entered by Mr. J. R. W. Smith to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to re-instate an act, No. 256, of the General Assembly of the Commonwealth of Kentucky, approved February 28, 1876, entitled "An act to prohibit the sale of spirituous, malt and vinous liquors in Glasgow and within one mile from the outside boundary thereof, and to repeal all acts in conflict with said act."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

Mr. Clay, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to declare Pricy creek, in Magoffin county, a navigable stream;

An act for the benefit of B. W. Burchett, late Sheriff of Carter county;

An act for the benefit of Harrison Eaton, of Barren county, and to change the line between the counties of Barren and Metcalfe;

An act to incorporate the Sacramento and Central City Railway Company;

An act to incorporate the Corinth and Gaines' Fork Turnpike Company;

An act for the benefit of the New Liberty and Dallasburg Turnpike Road Company;

An act to authorize and empower W. W. Robertson, late Judge of the Marshall Circuit Court, to sign certain orders made by him as such Judge;

An act to incorporate the Mackville and Bethel Turnpike Road Company, in Washington county;

An act in relation to the State road in Crittenden county, leading from Weston to the Caldwell county line;

An act to prohibit the manufacture or sale of spirituous, vinous or malt liquors within the limits of common school district No. 33, known as Mount Pleasant District, in Barren county;

An act to amend the charter of the Russellville District Turnpike Company, and reduce into one the several acts relating thereto;

An act authorizing the voters of Grant county to vote, September 20, 1886, on the proposition as to whether or not spirituous, vinous or malt liquors, or any mixture thereof, may be sold in Grant county as a beverage;

An act for the benefit of J. K. Reynolds, of Graves county;

An act for the benefit of W. J. Webb, of Graves county;

An act to amend an act, entitled "An act to incorporate the Louisville School of Pharmacy for Women," approved March 8, 1884;

An act for the benefit of the Hayden's Corner and Forest Grove Turnpike Company;

An act to extend the corporate limits of the town of Independence, in Kenton county ;

An act to constitute and create Hayden's Corner local option district, in Clark county ;

An act to prohibit the sale of any spirituous, vinous or malt liquors, or mixtures thereof, within school district No. 9, in Garrard county ;

An act declaring the Panther Fork of Wolf creek a navigable stream ;

An act to establish an additional voting precinct on the North Rolling Fork, at Minor's Store, in Boyle county ;

An act to prohibit the sale of intoxicating liquors at or within one mile of the Leestown Presbyterian Church, in Franklin county ;

An act to incorporate the Goggin's Ferry Turnpike Road Company ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Eminence, in Henry county ;"

An act for the benefit of Summit Station Turnpike Road Company ;

An act to create the office of County Treasurer, of Pulaski county, and prescribe the duties of same ;

And enrolled bills which originated in the Senate, of the following titles, viz :

An act regulating the business of pawnbrokers in certain cities of the State of Kentucky ;

An act for the benefit of Cowan Station and Licking Valley Turnpike Road ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Clay reported that the committee had performed that duty.

The Senate took up for consideration a bill, entitled

An act to authorize the State Librarian to purchase certain books.

On motion of Mr. Wilson,

Ordered, That said bill be recommitted to the Committee on Library, Public Buildings and Offices.

The Senate took up for consideration the motion heretofore entered by Mr. Hill to reconsider the vote by which the Senate had disagreed to a bill which originated in the House of Representatives, entitled

An act to amend the charter of the Short Route Railway Transfer Company.

Mr. J. R. W. Smith moved to lay said motion on the table.

And the question being taken thereon it was decided in the affirmative.

The Senate took up for consideration the motion heretofore entered by Mr. Taulbee to reconsider the vote by which the Senate had disagreed to a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to create the office of road commissioner, in Johnson county, and to provide for the appointment of the same."

Mr. Wallace moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the American Accident Company," approved March 23, 1886.

An act to incorporate the Elkhorn High School, of Taylor county.

An act to incorporate the Ohio, Kentucky and Virginia Railway Company.

An act to incorporate the Wilmore and Kentucky River Turnpike Road Company, in Jessamine county.

An act to amend an act, entitled "An act to incorporate the Dayton and Ohio River Turnpike Company, in Campbell county," approved April 4, 1884.

An act to incorporate the Cincinnati, Covington and Latonia Railway Company.

An act declaring Otter creek, in Clay county, a navigable stream.

An act to incorporate the Union Club, of Louisville, Ky.

An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of Bethel Church and school-house, in Barren county.

An act to amend an act, entitled "An act to regulate the management of turnpike roads in Robertson and Nicholas counties," approved March 10, 1886.

An act to amend the charter of the Newport and Licking Turnpike Company.

An act to amend the charter of the Bloomfield and Springfield Turnpike Road Company, approved January 23, 1854;

An act to repeal chapter 1430, Local and Private Acts, 1883–4.

An act for the benefit of the McHenry Coal Company.

An act to authorize and empower the Butler and Greenwood Turnpike Company to erect a gate on said Butler and Greenwood Turnpike Road within one mile of the corporate limits of the town of Butler.

An act to amend an act, entitled "An act to establish a State Board of Health."

An act to authorize the Board of Commissioners of Boyd county to appropriate money to the construction and repair of county roads and bridges, and provide for payment of same.

An act for the benefit of the old State road, in Campbell county.

An act for the benefit of Claryville, Grant's Lick and Butler Turnpike Company.

An act to amend an act, entitled "An act to incorporate the Walton and Frazee Turnpike Road Company, in Mason county," approved March 7, 1868.

An act to amend an act incorporating the Security Storage Company, of Louisville, Ky., approved May 5, 1884.

An act to incorporate the Junction City, Rolling Fork and Bradfordsville Turnpike Road Company.

The Senate took up for consideration a bill, entitled

An act to regulate railroad transportation.

On motion of Mr. Clay,

Ordered, That the further consideration of said bill be post-

poned, and that said bill be made the special order of the day for Friday, April 23d, at 11 o'clock A. M., and from day to day until disposed of.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act for the benefit of Theodore Herman Schmelzpfenning, of Henry county.

Said bill reads as follows, viz:

WHEREAS, Theodore Herman Schmelzpfenning, a German citizen of Henry county, has taken out naturalization papers and permanently located in this State; and whereas, he finds great difficulty and is subject to great annoyance and embarrassment by not being able to make people understand his name, and asks the Legislature to pass an act changing his name, dropping the name of his father and allowing him to retain the name of his grandfather on his mother's side, to wit, Theodore Herman; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Theodore Herman Schemlzpfenning be, and the same is hereby changed to Theodore Herman, leaving off the Schmelzpfenning, and he shall hereafter be known as Theodore Herman, and his acts under that name shall be legal and binding.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers, W. M. Cravens, R. S. Triplett—3.

Those who voted in the negative, were—

A. S. Berry,	F. M. Clement,	F. D. Rigney,
S. H. Boles,	John Feland,	J. R. W. Smith,
J. W. Bryan,	W. H. Frederick,	W. H. Taulbee,
R. A. Burnett,	G. G. Gilbert,	F. T. D. Wallace,
W. W. Bush,	L. M. Martin,	J. H. Wilson—17.
C. M. Clay, Jr.,	J. H. McDanell,	

So said bill was disagreed to.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act for the benefit of John Martin, of Trimble county, and to change the line between the counties of Henry and Trimble.

On motion of Mr. Cravens,

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr Cravens moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the motion heretofore entered by Mr. Wilson to reconsider the vote by which the Senate had adopted a joint resolution, entitled

Resolution providing for *sine die* adjournment of the General Assembly.

[*For resolution, see Senate Journal, April 16th.*]

Mr. Bryan moved to lay said motion on the table.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said resolution fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Wilson and Boles, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	C. M. Clay, Jr.,	G. G. Gilbert,
S. H. Boles,	W. M. Cravens,	L. M. Martin,
J. W. Bryan,	John Feland,	F. D. Rigney,
W. W. Bush,	W. H. Frederick,	R. S. Triplett—12.

Those who voted in the negative, were—

R. A. Burnett,	F. M. Clement,	W. H. Taulbee,
A. R. Byers,	J. R. W. Smith,	J. H. Wilson—6.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Bryan, from the Committee on Banks and Insurance—

A bill to incorporate the Hartford Mutual Fire Insurance Company, of Hartford, Kentucky.

By Mr. Burnett, from the Committee on Penitentiary and House of Reform.

A bill for the benefit of the branch Penitentiary at Eddyville.

By Mr. J. R. W. Smith, from the Committee on Public Expenditures—

A bill to amend the charter of the city of Louisville.

By Mr. Berry, from the Committee on Education—

A bill authorizing the city of Newport to issue bonds for refunding bonds issued under an act, entitled "An act authorizing the city of Newport to issue bonds for certain purposes," approved February 12, 1880.

By same—

A bill authorizing the Board of Councilmen of Newport, Ky., when sitting as a court, to compel the attendance of witnesses and the giving in of testimony.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Bush, from the Committee on Charitable Institutions—

An act to authorize the trustees of the town of Auburn to issue bonds for street purposes, and to levy a tax to pay the

interest and to create a sinking fund for the redemption of said bonds.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Auburn, in Logan county."

By Mr. Frederick, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to incorporate the Barren River Turnpike Road Company, in Warren county."

By same—

An act to incorporate the Mt. Zion Turnpike Company, in Franklin county.

By same—

An act to amend an act, entitled "An act to incorporate the Bardstown and Chaplin Turnpike Road Company."

By same—

An act to amend an act, entitled "An act to incorporate the Chaplin and Rockbridge Turnpike Road Company, in Washington county," approved April 19, 1882.

By same—

An act to incorporate the Burkesville and Leslie Turnpike Company.

By Mr. Byers, from the same committee—

An act to incorporate the Bowling Green Petroleum and Fuel Company.

By Mr. McDanell, from the Committee on Religion and Morals—

An act authorizing the voters of Montgomery county to vote on the proposition as to whether or not spirituous, vinous or malt liquors shall be sold in said county.

By same—

An act to prohibit the manufacture or sale of spirituous, vinous or malt liquors, or any mixture of either within two miles of Big Meadow Church, in Metcalfe county.

By Mr. Martin, from the Committee on the Judiciary—

An act changing the time of holding the Court of Claims of Mason county.

By same—

An act to charter the Pleasant Spring and Brushy Fork Turnpike Road Company, in Nicholas county.

By Mr. Boles, from the Committee on Codes of Practice—

An act to amend section 23 of an act, entitled "An act to reduce into one all the acts concerning the town of Edmonton," approved May 18, 1871.

By Mr. Taulbee, from the Committee on Claims—

An act for the benefit of Geo. M. Miller, County Attorney of Monroe county.

By Mr. Martin, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to establish the Nicholas Chancery Court."

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Wallace—

1. A bill to incorporate the Pine Hill Cemetery, of Louisa, Lawrence county.

On motion of Mr. Bryan—

2. A bill to incorporate the Hartford Mutual Fire Insurance Company, of Hartford, Kentucky.

On motion of Mr. Berry—

3. A bill to authorize the city of Newport to issue bonds for refunding bonds issued under an act, entitled "An act authorizing the city of Newport to issue bonds for certain purposes," approved February 12, 1880.

On motion of same—

4. A bill to extend and define the boundaries of the city of Newport.

On motion of same—

5. A bill, entitled "An act to authorize the Board of Council-

men of Newport, Kentucky, when sitting as a court, to compel the attendance of witnesses and the giving in of testimony."

On motion of Mr. Feland—

6. A bill to provide for the working of convicts on turnpikes and other works of public improvement.

On motion of Mr. J. R. W. Smith—

7. A bill to amend the charter of the city of Louisville.

Ordered, That the Committee on General Statutes prepare and bring in the 1st; the Committee on Banks and Insurance the 2d; the Committee on Education the 3d and 5th; the Committee on the Judiciary the 4th and 6th, and the Committee on Public Expenditures the 7th.

On motion of Mr. Bryan, the Senate then adjourned.

WEDNESDAY, APRIL 21, 1886.

The reading of the Journal of yesterday was dispensed with.

Mr. Clay, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to empower the Boyle County Court to subscribe stock to a turnpike road leading from Mitchellsburg to Rolling Fork;

An act to incorporate the Pigeon Roost Creek Coal Company, in Whitley county;

An act to amend the charter and change the name of the Dorseyville Turnpike Road Company;

An act to incorporate the Pulaski Mineral and Timber Company;

An act to amend and reduce into one the act incorporating the Hardinsburg and Cloverport Turnpike Road Company, and the several acts amendatory thereof;

An act to incorporate the Junction City and Danville Turnpike Road Company, in Boyle and Lincoln counties;

An act to prohibit the manufacture or sale of spirituous, vinous and malt liquors within two miles of the school-house in district No. 54, in Barren county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873;

An act to amend and reduce into one the several acts concerning the town of Stephensport, in Breckinridge county;

An act to amend an act, entitled "An act creating a new charter for the city of Owensboro," approved March 18, 1882;

An act to prohibit the sale of spirituous, vinous and malt liquors, in certain precincts in Pulaski county, and to provide for a vote thereon.

An act to amend an act, entitled "An act to incorporate the Carbondale Coal Company;"

An act for the benefit of F. M. Spurrier, lately a deputy Sheriff of Grayson county;

An act to incorporate the Covington City Street Sprinkling Company;

An act to incorporate the Case Crowder and Baker Turnpike Road Company;

An act to prohibit the sale of liquors within one mile of the church, in the town of Claysville, in Webster county;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to amend the charter of the New National Turnpike Company, composed of the Jefferson and Bullitt and National Turnpike Company consolidated. Said act approved — day of ——, 188–;

An act to amend an act to incorporate the Economic Heating Company;

An act to incorporate the Caney Fork Baptist Church, in Owen county;

An act in relation to the town of Canmer, in Hart county;

An act to prohibit the sale or gift of vinous, spirituous or malt liquors within two miles of Green Briar Baptist Church, in Daviess county, or within two miles of New Bethel Methodist Church, in Ohio county;

An act repealing parts of section 9, article 4, of an act to amend and reform the common school laws of this Commonwealth, approved May 12, 1884;

An act to repeal an act, entitled "An act to declare and amend the law relative to principals and factors or agents;"

An act to incorporate the Salem Baptist Church;

An act to amend an act to authorize Lawrence County Court to issue bonds;

An act to extend the limits and change the boundary of the city of Cynthiana;

An act to amend the charter of the town of Montgomery, in Trigg county;

An act relating to the clerks of the general council of the city of Louisville;

An act to amend the charter of the city of Louisville;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time Mr. Clay reported that the committee had performed that duty.

The Speaker appointed Mr. Clement a member of the Committee on Claims.

Mr. Feland, from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill, entitled

An act for the benefit of the Lunatic Asylums of this Commonwealth,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Burnett,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday, April 23d, at 10 o'clock A. M., and from day to day until disposed of.

A message was received from the House of Representatives announcing that they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Drennon Springs Company, in Henry county," approved April 4, 1884.

An act to amend an act, entitled "An act to regulate voting at primary elections, and prevent fraud therein, for the benefit of Harrison, Bourbon, Campbell and Kenton counties," approved April 19, 1880, and apply the provisions thereof to Woodford and Jessamine counties.

An act to regulate the sale of spirituous, vinous and malt liquors in Simpson county.

That they had concurred in an amendment adopted by the Senate to an amendment adopted in the House of Representatives to a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to establish a system of public graded schools in the city of Mt. Sterling," approved April 15, 1884.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company."

An act for the benefit of the administrator of B. F. Pullen, late Sheriff of Bourbon county.

An act to amend the charter of the city of Maysville.

An act to amend an act, entitled "An act to incorporate the Fidelity Trust Company, of Louisville."

An act to amend an act, entitled "An act to amend and reduce into one the acts incorporating the town of Louisa."

An act to amend an act to authorize the Pendleton County Court to issue and sell bonds and provide means of redeeming and regulating the manner of executing sale of bonds and disbursement of funds," approved March 31, 1886.

An act to incorporate Capital City Lodge, 1597, G. U. O. O. F.

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, Pike county."

An act for the benefit of J. M. Baker, of Knott county.

An act to amend an act, entitled "An act to incorporate the Hopkinsville and Cadiz Railroad Company," approved April 8, 1884.

An act concerning license taxes in the city of Louisville.

An act to amend the charter of the city of Louisville.

An act relating to the clerks of the general council of the city of Louisville.

An act to improve the tax system of the city of Louisville.

An act to incorporate the Citizens' Bank of Owensboro.

An act to incorporate the Grayson County Bank.

With amendments to the three last-named bills.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Kentucky Electric Company.

2. An act to incorporate the Louisville and Portsmouth Railway Company.

3. An act to incorporate the McDonald Bros. Jail Building Company.

4. An act to protect the butchers of the city of Louisville.

5. An act to construe section 2, of article 6, of the charter of the city of Bowling Green.

6. An act to amend an act, entitled "An act to amend and reduce into one all the acts and laws in relation to the town of Trenton, in Todd county," approved March, 1886.

7. An act to incorporate the Damascus Edge Tool and Manufacturing Company.

8. An act to incorporate the Lexington Horse and Cattle Exchange.

9. An act to amend the charter of the Homestead Building Association.

10. An act concerning the Quarterly Court of Warren county.

11. An act to incorporate the Charleston, Kentucky and Western Railway Company.

12. An act to prevent distillers from emptying their slop and offal into Hickman creek, in Jessamine county.

13. An act to incorporate the Spring Cliff Park Hotel and Railroad Company.

14. An act to authorize peace officers to take bond in criminal and penal cases.

15. An act to repeal an act, entitled "An act to amend the charter of the Danville and Hustonville Turnpike Road Company."

16. An act for the benefit of Robert Young, of Cumberland county.

17. An act to amend the charter of the Lexington Savings Association.

18. An act to re-enact and amend an act, entitled "An act to inhibit the owners or bailees of horses, cattle or hogs or other animals from allowing, suffering or permitting them to go at large in Carroll county, and to make owners or bailees of such animals liable for all trespasses and injuries committed by them," approved April 22, 1884.

19. An act to prohibit the sale of spirituous liquors in the county of Livingston.

20. An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Marion," approved March 20, 1876.

21. An act to amend an act, entitled "An act to incorporate the Great Western Lumber, Mining and Manufacturing Company," approved April 24, 1882, and all acts amendatory thereto.

22. An act in relation to the moving of traction and portable engines over and along the roads and passways of Union county.

23. An act to incorporate the Owensboro Fire Insurance Company.

24. An act to legalize the payment of the officers, agents and general expenses of the Householders' Mutual Benefit Association of Kentucky.

25. An act to regulate the holding of Criminal Courts in the counties of Magoffin, Johnson, Carter, Boyd and Martin.

26. An act to authorize the Clerk of the Russell County Court to appoint his wife Deputy Clerk.

27. An act to amend the charter of the town of Clinton, in Hickman county.

28. An act to create an inspector of cattle, sheep and hogs offered for sale in the city of Louisville to be used for food in said city.

29. An act to prevent cattle from running at large in the county of Harrison.

30. An act to incorporate the Exchange Bank of Greenup.

31. An act to abolish district No. 12, in Harlan county.

32. An act to incorporate the Enterprise Street Railway Company.

33. An act to incorporate the Owensboro Banking Company.

34. An act for the benefit of Ambrose Cox, of Letcher county.

35. An act to prohibit the sale of spirituous, vinous and malt liquors within one and one-half miles of Zion Church on the Hartford road, in Daviess county.

36. An act to amend an act, entitled "An act to establish a new charter for the town of Elkton, in Todd county," approved April 21, 1884.

37. An act to amend an act, entitled "An act to authorize the county of Mason to subscribe to the capital stock of railroad companies," approved March 29, 1886.

38. An act to amend an act, entitled "An act to incorporate Carr Institute."

39. An act to re-enact and amend section 3, of an act approved March 14, 1872, entitled "An act to amend the charter of Bryantsville," and further amend an act, approved February 14, 1871.

40. An act to amend the charter of the Chesapeake and Nashville Railway Company.

41. An act to authorize the County Court of Fayette county to issue bonds.

42. An act to establish an additional magisterial district in Todd county.

43. An act to incorporate the Pewee Valley and Floyd's Fork Turnpike Road Company.

44. An act to incorporate the Louisville Detective Agency.

45. An act to incorporate the Scarville and Lawrenceburg Turnpike Road Company, in Washington and Anderson counties.

46. An act to amend the charter of the Kentucky and South Atlantic Railway Company.

47. An act to amend the charter of the Logan County Bank.

48. An act to change the times of holding Circuit Courts and Courts of Common Pleas in county of Ballard in the First Judicial District.

49. An act to extend the Court of Common Pleas in the First Judicial District to the county of Carlisle, and fixing the times for holding the same.

50. An act for the benefit of colored common schools of Floyd county, and to authorize the Superintendent and Board of Examiners of common schools of said county to issue special licenses to persons to teach colored common schools of said county.

51. An act to incorporate the town of Grange City, in Fleming county.

52. An act to change the time of holding the Court of Claims of Calloway county.

53. An act to consolidate common school districts Nos. 1 and 26, in Carroll county, and to provide for a school building and the better organization of the public schools in said consolidated district.

54. An act to change the line between Blue Ball and Puncheon precincts in Clark county.

55. An act to charter the Henderson, Bowling Green and Somerset Railroad.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 4th, 8th, 15th, 18th, 27th, 28th, 29th, 39th and 43d to the Committee on Agriculture and Manufactures; the 2d, 11th, 13th, 32d, 37th, 40th, 46th and 55th to the Committee on Railroads; the 3d to the Committee on Finance; the 5th and 7th to the Committee on General Statutes; the 6th, 36th and 42d to the Committee on Charitable Institu-

tions; the 9th, 17th, 23d, 24th, 30th, 33d and 47th to the Committee on Banks and Insurance; the 10th, 25th, 26th, 31st, 41st, 45th, 48th, 49th and 52d to the Committee on Courts of Justice; the 12th to the Committee on Immigration and Labor; the 14th and 44th to the Committee on the Judiciary; the 16th, 34th and 51st to the Committee on Claims; the 19th and 35th to the Committee on Religion and Morals; the 20th and 21st to the Committee on Internal Improvements; the 22d and 54th to the Committee on Propositions and Grievances; the 38th, 50th and 53d to the Committee on Education.

On motion of Mr. Clay,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the disagreement by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of the Coroners of this Commonwealth," approved May 5, 1880.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Clay moved to reconsider the vote by which the Senate had disagreed to said bill.

And the question being taken thereon, it was decided in the affirmative.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the first section of an act, entitled "An act for the benefit of the Coroners of this Commonwealth," approved May 5, 1880, be, and it is hereby, amended by striking out the word "ten" in the last line of said section, and inserting in lieu thereof the word "fifty:" *Provided*, That all expenses incurred under the provisions of this act in the county of Jefferson shall be paid jointly by said county, and the city of Louisville in such proportion as joint expenses are now borne by said county and city.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

The Senate, according to order, took up for consideration a bill, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an annual tax of 47 cents upon each one hundred dollars of value of all real and personal estate directed to be assessed for taxation, due and payable the fiscal year assessed, shall be paid by the owner or persons assessed. The aggregate amount of tax realized by all assessments shall be distributed as follows: Twenty cents for the ordinary expenses of the Government; five cents for the use of the Sinking Fund, and twenty-two cents for the support of the common school.

§ 2. The Commonwealth shall have a lien for all taxes, and the counties for the county levy and other taxes due the county, on the property assessed, and on all other property of each person, which shall not be defeated by gift, devise, sale, alienation, or any means whatever: *Provided*, The lien herein provided for shall not exist longer than five years.

§ 3. All property, real and personal, within this State, not herein expressly exempt by law, shall be assessed, as nearly as practicable, according to a uniform rate, in the manner hereinafter provided.

§ 4. Real estate for the purpose of taxation shall include all lands within this State, and all buildings and improvements erected on or affixed to the same, and in assessing said lands, the Assessor shall take into consideration its increased value on account of all the improvements thereon.

§ 5. Personal estate shall, for the purpose of taxation, include every other species and character of property—that which is intangible as well as that which is tangible.

§ 6. The holder of the legal title and the holder of the equitable title, and the claimant or bailee in possession of property on the fifteenth of September, shall be liable for the tax on it to the Commonwealth; but as between themselves, it shall be the duty of the holder of the equitable title to list the property and pay the tax thereon, whether said property be in possession or not at the time of the payment.

§ 7. All estate, real and personal, and all interest in such estate named and specified in the tax book, shall be assessed for taxation, and the tax paid by the owner or possessor thereof to the person authorized by law to receive the same.

§ 8. Lands and town lots and the improvements thereon, shall be valued for taxation without reference to any conflicting title.

Property Exempt.

§ 9. The following property shall be exempt from taxation:

1. Property of the United States and the securities thereof, which are, by act of Congress, exempt from State taxation.

2. Property of the Commonwealth.

3. Two cows, not to exceed fifty dollars in value; if the two cows exceed fifty dollars in value, the excess only shall be assessed and taxed; the growing crops; all poultry on hand for family use; household goods and chattels not to exceed two hundred and fifty dollars in value; and provisions on hand for family use not to exceed in value two hundred and fifty dollars.

4. Property owned in its entirety by counties, cities and towns, which is necessary to carry on the government of such county, city or town.

5. Public schools, churches and all property of seminaries, asylums, hospitals, infirmaries and colleges, and all other funds devoted to charitable purposes, and church parsonages to the extent of $5,000; public cemeteries, except those owned by joint stock companies or associations which declare a dividend: *Provided*, That nothing herein shall be construed as exempting any property which is used or employed for gain of any person, nor any property of which the products, rents or uses are not devoted solely to the objects of the institution, as contradistinguished from personal gain of the individuals connected with the institution: *Provided*, Nothing herein shall be construed or held to include any house, lot, land, fund or other property of any insurance or assurance company. Libraries, paintings and statuary owned by counties, cities and towns are likewise exempt from taxation.

6. All property which is maintained by general State taxation.

Property Taxed.

§ 10. Real estate, or any interest therein, shall be listed in the county and tax district where situated against the owner of the first freehold estate therein. If the owner fails to list the same, the Assessor shall nevertheless list all lands in his county; and, to enable him to ascertain the person in whose name to make the list, he is empowered to swear witnesses and compel them to testify, and their statements must be put in writing and returned with the tax book, and a note or reference made to the proof in the listing of the land.

§ 11. Owners or claimants of land, who do not reside in the county in which it lies, shall furnish the County Clerk thereof with a written description of each tract, verified by affidavit, and the failure to do so shall subject such owner or claimant to

a penalty of not less than twenty nor more than one hundred dollars for each tract, and one dollar for each one hundred dollars of the value of the land, recoverable by action in the County or Circuit Court of the county where the land lies. The term claimant, in this section, includes a husband in respect to the land of his wife; a guardian in respect to the land owned by his ward; an executor or administrator, with the will annexed; curators and trustees in respect to the land of which they as such have control; those having a life interest, and agents having power to sell or rent. Proceedings may be had under this section, from time to time, not exceeding twice in any one year, until the same shall be complied with; but a false or fraudulent descriptive list shall not bar or prevent a recovery. The Clerk shall carefully copy such descriptive lists when required, and if required, on payment of fifty cents, furnish the person filing the same a receipt therefor, in which the same shall be described so as to identify it. He shall also keep an alphabetical list of the names of such land owners, and the date of the filing of such descriptive lists, posted in his office. The Assessor shall call upon the Clerk of the County Court from time to time for descriptive lists, and examine them and make use of the information contained in them in making out his list and book of taxable property. The County Attorney shall prosecute under this section, and if he does so, shall have one-half of the penalty, but not to exceed twenty-five dollars in any one case.

§ 12. Personal property of every kind shall be separately stated and valued in the appropriate columns of the tax book herein provided. And if there be no column appropriate, it shall be stated and valued in the column headed miscellany. The Assessor, after having taken the list of all property required to be listed as above, shall require each person, on oath, to affix the amount he or she is worth from all other sources on the day to which said list relates after taking out his or her indebtedness from said amount. But in estimating his indebtedness, no account shall be taken of debts contracted as surety or guarantor.

§ 13. If any person shall willfully make a false statement in regard to the amount of his indebtedness, or shall, for the purpose of avoiding taxation, make temporary investments in securities exempt by law from taxation, or resort to any device whatever for the purpose of avoiding taxation, he shall be fined not exceeding five hundred dollars, and be subject to the payment of three times the amount of the tax upon his estate by the County Court, which may proceed upon the information of the Sheriff or Tax Collector, or any person having knowledge of the facts. The offender shall be entitled to a trial by jury.

ARTICLE II.

Stocks in Banks and other Institutions.

§ 1. That shares of stock in State and National banks, and other institutions of loan or discount, and in all corporations required by law to be taxed on their capital stock, shall be taxed seventy-five cents on each share thereof, equal to one hundred dollars, or on each one hundred dollars of stock therein owned by individuals, corporations or societies, and said banks, institutions and corporations shall, in addition, pay upon each one hundred dollars of so much of their surplus, undivided surplus, undivided profits, or undivided accumulations, as exceeds an amount equal to ten per cent. of their capital stock, the same rate of taxation that is assessed upon real estate, which shall be in full of all tax, State, county and municipal. For the purpose of ascertaining such surplus, undivided profits or undivided accumulations, the Auditor may, at his option, investigate the books of such bank, institution or corporation, and any officer having in charge the affairs of such bank, institution or corporation, who shall refuse, when duly called upon for the purpose, to allow his books to be investigated, shall be subject to indictment in the Franklin Circuit Court, or the Circuit Court of the county wherein said bank, institution or corporation shall be located, and upon conviction shall be fined not less than five hundred dollars and not more than one thousand dollars. The Commonwealth may, in the county wherein said bank, institution or corporation is located, institute an action in any court having civil common law jurisdiction of the amount involved for the recovery of the fine.

§ 2. The cashier of a bank, and the treasurer of any other institution or corporation, whose stock is taxed, shall, on the first day of July in each year, report to the Auditor of Public Accounts the true amount of the capital stock, the true amount of surplus, undivided profits or undivided accumulations, and how or in what said surplus, undivided profits, or undivided accumulations is invested, and pay into the Treasury the amount of tax due. If such tax be not paid, the cashier and his sureties shall be liable for the same and twenty per cent. upon the amount, and any State bank, institution or corporation shall thereby forfeit the privilege of its charter. The officer making the report shall attach thereto the following affidavit, to which he shall make oath before some officer authorized to administer oaths: "I, ——— ———, swear (or affirm) that I am the ——— ——— of ———————, and that I have, in the foregoing report, truly and accurately reported the amount of the capital stock, the amount of the surplus, the undivided profits or undivided accumulations of said ———————, and how, or in what said surplus, undivided profits, or undivided accumulations is invested."

§ 3. If any such bank, institution, or corporation, on the first day of July in any year, has invested in the bonds or funds of the United States, which are by law exempt from taxation, more of its surplus, undivided profits, or undivided accumulations than an amount equal to ten per cent. of such capital stock, the excess of the amount so invested over the amount equal to ten per cent. of such capital stock shall be exempt from taxation for that year and deducted from the amount of such surplus, undivided profits or undivided accumulations, upon which tax is to be assessed under this article, provided such was made in good faith and not for the purpose of avoiding taxation. The officer who makes the report required by the second section of this article shall attach to the report his affidavit, stating that such investment was made in good faith, and not for the purpose of avoiding taxation.

§ 4. That each of said banks, institutions and corporations by its proper corporate authority, with the consent of a majority in interest of a quorum of its stockholders, at a regular or called meeting thereof, may give its consent to the levying of said tax, and agree to pay the same as herein provided, and to waive and release all right under the acts of Congress or under the charters of the State banks to a different mode or smaller rate of taxation, which consent or agreement to and with the State of Kentucky shall be evidenced by writing under the seal of such bank and delivered to the Governor of this Commonwealth; and upon such agreement and consent being delivered, and in consideration thereof, such bank and its shares of stock shall be exempt from all other taxation whatsoever so long as said tax shall be paid during the corporate existence of such bank.

§ 5. The said banks may take the proceeding authorized by section 4 of this act at any time until the meeting of the next General Assembly: *Provided*, They pay the tax provided in section 1 from the passage of this act.

§ 6. This act shall be subject to the provisions of section eight (8), chapter 68, of the General Statutes.

§ 7. If any bank, State or National, shall refuse or fail to pay the tax imposed by this act, or shall fail or refuse to make the consent and agreement as prescribed in section four (4), the shares of stock of such bank, institution or corporation and its surplus, undivided accumulations and undivided profits shall be assessed as directed by section 2 of this act, and the same taxes, State, county and municipal, shall be imposed, levied and collected upon the assessed shares, surplus, undivided profits, undivided accumulations as is imposed on the assessed taxable property in the hands of individuals: *Provided*, That nothing herein contained shall be construed as exempting from taxation for county or municipal purposes any real estate or building owned and used by said banks or corporations for conducting their business, but the same may be

taxed for county and municipal purposes at the same rate as other real estate is taxed.

ARTICLE III.

§ 1. That the president or chief officer of each railroad company or other corporation owning a railroad lying in whole or in part in this State, shall, on or before the first of September in each year, return to the Auditor of Public Accounts of the State, under oath, the total length of such railroad, including the length thereof beyond the limits of the State, and designating its length within this State, and in each county, city and incorporated town therein, together with the average value per mile thereof, and the respective counties, city and incorporated towns therein, together with the average value per mile thereof, for the purpose of being operated as a carrier of freight and passengers, including engines and cars, and a list of the depot grounds and improvements and other real estate of the said company, and the value thereof, and the respective counties, cities and incorporated towns in which the same are located. That if any of said railroad companies owns or operates a railroad or railroads out of this State, the president or chief officer of such company shall only be required to return such proportion of the entire value of all its rolling stock as the number of miles of its railroad in this State bears to the whole number of miles operated by said company in and out of this State. Said report shall be made as of the first day of July, and a failure to file said report by the first day of September shall subject the president or chief officer residing in this State to a fine of one thousand dollars, and fifty dollars for every day after the first day of September that he fails to file said report, to be recovered as indicated by section 5 of this article.

§ 2. Should any railroad or part of a line of railroad in this State be in the hands or under the control of a receiver or other person, by order or decree of any court in this or any other State, it shall be the duty of such receiver or other person to make, under his oath, the returns and valuations required by the first section of this article; and should such president or chief officer of any railroad company, or receiver, fail to make said returns and valuations on or before the first day of September in each year, the said Auditor shall proceed and ascertain the facts and value required by this article to be returned, and in such manner and by such means as he may deem best, and at the cost of the company failing to make the returns and values.

§ 3. The Governor shall, at the expiration of the term of the present Railroad Commissioners, and every two years thereafter, appoint, by and with the advice and consent of the Senate, a

commission consisting of three persons, which shall be styled the "Railroad Commission," and perform the duties required by this article of said board. They shall hold their office for two years from their appointment and until their successors are appointed and qualified. Before entering upon their duties they shall take an oath before the Secretary of State to faithfully perform and discharge their said duties without fear, favor or partiality. Said Commissioners shall meet annually at the office of the Auditor in Frankfort on the first day of September in each year; a majority present shall constitute a quorum for the transaction of business; and at said meetings the Auditor shall lay before them the returns made to him under this act, and any schedules and valuations he may have made under the second section of this article; and should the valuations, or any of them, in the judgment of said board, be either too high or too low, they shall correct and equalize the same by a proper increase or decrease thereof. Said board shall keep a record of their proceedings, to be signed by each member present at any meeting; and the said board is hereby authorized to examine the books and property of any railroad company to ascertain the value of its property, or to have them examined by any suitable disinterested person, to be appointed by them for that purpose. In case of the death, resignation or failure to act of any of said Commissioners, the Governor shall fill the vacancy by another appointment. The Commissioners shall discharge the duties herein required of them without compensation other than is allowed them by the eighth section of the act, entitled "An act to prevent extortion and discrimination in the transportation of freight and passengers by railroad corporations, and in aid of that purpose to establish a Board of Railroad Commissioners and define its powers and duties," approved April 8, 1882.

§ 4. The same rate of taxation for State purposes, which is or may be in any year levied on other real estate in this Commonwealth, shall be, and is hereby, levied upon the value so found by said board of the railroad, rolling stock, and real estate of each company; and the same rate of taxation for the purposes of each city, town, county, part of a county or tax district of any kind in which any portion of any railroad is located which is, or may be, in any year levied on other real estate therein, shall be, and is hereby, levied on the value of the real estate of said company therein and of the number of miles of such road therein reckoned as of the value of the average value of each mile of such railroad, with its rolling stock, as ascertained as aforesaid. And immediately after the said board shall have completed its valuations each year, the Auditor of Public Accounts shall notify the Clerk of each County Court of the amount so assessed for taxation in his

county, and each railroad company of the amount of its assessment for taxation for State purposes, and for the purposes of such city, town, county, part of county and tax district. And all existing laws in this State authorizing the assessment and taxation of the property of railroad companies by counties, cities or incorporated towns are hereby repealed, and no county, city or incorporated town in this State shall hereafter assess, levy or collect any taxes on the property of railroad companies in this State except as provided by this article.

§ 5. All taxes levied under the provisions of this article shall be paid on or before the tenth day of October in each year; and for a failure to pay the same, the president or chief officer residing in this State shall be subject to a fine of fifty dollars for every day that elapses without the payment of the taxes; after the tenth day of October the said fine may be recovered by indictment or civil action in the Franklin Circuit Court, and the taxes in behalf of the Commonwealth may be recovered by action in the Franklin Circuit Court, and those in behalf of the counties by actions in the courts of civil common law jurisdiction in such counties respectively.

Article IV.

Turnpike Roads and other Corporations.

§ 1. The stock of turnpike roads in this Commonwealth paying dividends are hereby assessed for taxation at the rate of six per centum per annum upon the net dividend of said roads, to be ascertained by the treasurers or presidents of said roads, and reported, on oath, to the Auditor by the first day of July; and when said dividend shall be so ascertained by one of the officers aforesaid, the tax shall be paid into the Treasury by the tenth day of October in each year.

§ 2. It shall be the duty of the president, treasurer, secretary, mayor, agent or other person representing or doing business for any toll-bridge company or association, or any street railroad company owning property in this State, to report, under oath, to the Assessor on or before the fifteenth day of September, as of that date, a full and complete statement of all property owned, possessed, held or represented by the company, city or association of which he is the president, treasurer, secretary, mayor, agent or representative, including bridges, tracks, machine shops, warehouses, engines, tools, implements, lands, city or town lots, with improvements thereon, or contained

therein, stocks, bonds or other securities, cash on hand, accumulated or surplus fund, and any other property owned, possessed, held or represented by them, showing the total cash value of every species of property separately.

§ 3. It shall be the duty of the president, treasurer, or secretary of any gas or water company or association in this State, to report, under oath, to the Assessor on or before the fifteenth day of September in each year, as of that date, a full and complete statement of all property, real, personal or mixed, including buildings, engines, machinery, pipes above and below ground, reservoirs, retorts, tanks, meters, lamp posts, together with any and all species of property connected with, or in any way belonging to or under the control of such gas or water company, and any surplus or accumulated or contingent fund on hand, cash on hand, stocks, bonds, or other securities, and the total cash value thereof.

§ 4. It shall be the duty of the president, treasurer, secretary or manager of any telegraph company or association working, operating or controlling any telegraph line in this State, to report, under oath, to the Auditor of Public Accounts, on or before the first of July of every year, a full and complete statement of each line, and the whole number of miles of wire worked, or under their control and management in this State; and shall pay into the Treasury on or before the tenth of July, in each year, a tax equal to one dollar per mile for the line of poles and first wire, and fifty cents per mile for each additional wire.

§ 5. The president or general manager of every telephone company, on the first day of July in each and every year, shall report to the Auditor the gross amount of the receipts, and shall pay to the Auditor one-fourth of one per cent. on the gross receipts of his company on all its business within this Commonwealth in lieu of all other State tax; and the Auditor shall give and deliver his receipt of any and all taxes so paid.

§ 6. That all express companies doing business in this State shall be required to pay a license tax of five hundred dollars per annum, where the distance over which the lines of such companies operate or extend in this State is less than one hundred miles, and the annual sum of one thousand dollars where the distance is more than one hundred miles, and neither the company nor any agent of any company, which has paid the license tax required to be paid by this section, shall be required to pay any other license or tax to any county, city or municipality in this State: *Provided*, Such companies shall pay ad valorem taxes for county and municipal purposes upon all horses, wagons, furniture, real estate, and other property, at the same rate of taxation as is collected upon other property in this Commonwealth.

§ 7. Any president, treasurer, mayor, agent, manager, or other person, failing or refusing to comply with any of the pro-

visions of this article, shall be fined a sum not less than two hundred nor more than five hundred dollars, and he and his sureties shall, in addition, be liable for the taxes due from the corporation, to be recovered by motion in the Franklin Circuit Court, or action in the Circuit Court of the county where the property is located.

§ 8. That the individual stockholders of the companies which are by this article required to report and pay tax upon the value of their property shall not be required to list their shares in such companies for taxation.

§ 9. The property of all corporations, except where herein differently provided, shall be assessed in the name of the corporation in the same manner as that of a natural person, except that when legally called on the chief officer shall report a full statement of the property of such corporation for taxation, and for a failure shall be subject to the penalties in this article provided.

Article V.

License Tax.

§ 1. All licenses mentioned in this article, except licenses to sell by retail spirituous, vinous or malt liquors, shall be granted by the County Clerk; and licenses to sell by retail spirituous, vinous or malt liquors, shall be granted by the County Court; but the County Court shall not grant a license to sell spirituous, vinous or malt liquors until ten days' notice shall be given, by posting a written or printed notice at the door of the court-house, and at least four public places in the neighborhood where the liquor is to be sold, and if the majority of the citizens in the neighborhood shall protest against the application it shall be refused. The County Court in each instance shall determine what constitutes the neighborhood.

§ 2. The tax on licenses shall be as follows: On a license to keep a tavern, ten dollars; if with the privilege to retail spirituous or vinous liquors, or both, one hundred dollars; if with the privilege to retail malt liquors, fifty dollars; if with the privilege to retail spirituous, vinous and malt liquors, one hundred and fifty dollars; on a license to any person to retail spirituous or vinous liquors, or both, one hundred dollars; on a license to retail malt liquors, fifty dollars; on a license to retail spirituous, vinous and malt liquors, one hundred and fifty dollars; on a license to sell pistols or bowie-knives, twenty-five dollars.

§ 3. All persons selling liquors in packages of less than five gallons shall be considered retail dealers.

§ 4. The tax on a license to keep a nine or ten pin alley or bowling saloon for twelve months, shall be as follows: If the

population of the county, including all cities and towns therein, shall exceed ten thousand souls, forty dollars; if under that number, twenty dollars. When the proprietor or keeper has more than one alley or ball-way in the same building, he shall pay the same amount of tax on each.

§ 5. The tax on a license to a pawnbroker shall be three hundred dollars. If any person shall carry on or engage in the business of a pawnbroker without a license, he shall be fined five hundred dollars, and the payment of the fine shall not excuse the tax on the license.

§ 6. The Clerk of the County Court shall grant to the applicant a license to carry on the business of a pawnbroker when the following conditions are complied with: The applicant shall state the town or city and the county in which he intends to carry on said business, and shall pay to the Clerk the tax due under the last preceding section. The receipt of the Clerk for the tax, specifying the place in which the business shall be conducted, shall be a license to the person applying, but to no one else, and not to him in any other place.

§ 7. All circuses, menageries or other exhibitions displayed under canvas, shall pay a license tax of one dollar for each one hundred voters in the county in which the exhibition is given, for each separate exhibition to which an admission fee may be charged: *Provided*, The tax shall not exceed fifty dollars for each exhibition; and each side-show, where a separate admission fee is charged, shall pay tax as a separate show.

§ 8. For a license to stand a stud-horse, jack or bull, an amount equal to the greatest sum charged for the services of the same, whether that sum be for the season or insurance; which license shall expire on the thirty-first day of December after its grant. The applicant for such license shall state, on oath, the largest amount he intends to charge, directly or indirectly, for the services of said stud, jack or bull, and if in property or other thing, the value of the same. If a stud-horse, jack or bull shall be purchased and brought into this State from any other State, or from other parts of this State or foreign country, by a citizen of this State, between the first day of July and the thirty-first day of December in any year, the tax on a license to stand such stud-horse, jack or bull until the thirty-first day of December after he is brought in this State, shall bear the same proportion to the annual tax required by law that the time for which such license has to run bears to the whole year. All persons making application for license under this section, shall make and file with the Clerk of the Court before whom such application is made an affidavit, stating when such animal was brought into this State, where from, the name of the owner or owners, and whether they are citizens of this State.

§ 9. All licenses shall specify the place where the business is to be conducted, and none but the person or persons named in

any license shall sell under or exercise the privileges granted by the same, nor shall they be exercised at a place other than that mentioned in the license. Licenses are valid for one year only, are not assignable, nor shall the Clerk give copies or duplicates thereof.

§ 10. A license granted by a city or town having authority to grant the same shall be void, and no protection to any person for any purpose, unless the State license be obtained and the State tax be paid before the grant thereof.

§ 11. A license to keep a nine or ten-pin alley or bowling saloon shall be granted by the County Clerk to persons of good character only, upon payment of the tax and executing to the Commonwealth a bond, with good surety, conditioned that no gaming nor riotous or disorderly conduct shall be allowed upon said alley or within said saloon, or in the building containing the same, and under the control of party obtaining the license. For a violation of the conditions of his bond, the principal and surety, or either of them, may be proceeded against by action or indictment, and for each violation the sum of fifty dollars recovered by the Commonwealth.

§ 12. The keeper, owner and all persons concerned, directly or indirectly, in setting up or keeping any nine or ten-pin alley or bowling saloon, without first having obtained a license therefor, shall, jointly and severally, be fined the sum of one hundred dollars for each offense.

§ 13. The Clerk shall, by the last of December in each year, report to the Auditor an abstract of the licenses granted by him and by the County Court, stating the amount of tax paid to him, and also the amount of other public moneys received by him for taxes or otherwise. The amount so paid and received shall be accounted for as other revenue.

§ 14. Tax on law process, the recording of deeds, powers of attorney, official copies and seals, shall be as follows and paid in advance:

On each original action or proceeding in law or equity, except proceedings before a Justice of the Peace, when the amount in controversy, exclusive of interest and cost, does not exceed fifty dollars, commenced with or without original process;

On each appeal to the Quarterly or Circuit Court;

On each traverse of forcible entry and detainer;

On each procedure to revive a judgment;

On each deed or power of attorney to convey real or personal estate, or any mortgage or conveyance of real or personal property, or chattel mortgage; and

On the seal of any court required by law to keep a seal, fifty cents; and fifty cents of each marriage license collected by the Clerks of the County Court;

On each appeal in civil cases to the Court of Appeals or Superior Court, one dollar;

On each verdict of a petit jury in the Circuit Court, four

dollars. The same tax shall be paid when the parties withdraw a jury, or the plaintiff sustains a nonsuit after the jury is sworn.

For filing and registering a plat and certificate of survey, and issuing and recording patent thereon, one charge, which shall be paid before survey is filed, but not to apply to surveys heretofore filed in the Register's office, two dollars and fifty cents; for filing a caveat, twenty-five cents; for filing copy of judgment of a court, in cases of caveat, mandamus or other proceeding affecting the Land Office, or the duties of the Register, twenty-five cents; for issuing a land warrant, one dollar; for each official certificate, with seal of office affixed, one dollar; for an attested copy of a patent or survey, with seal of office affixed, one dollar; for copy of a plat, fifty cents; for copy of an entry or land warrant, fifty cents; for copy of an assignment, twenty-five cents; for copy of a caveat, two cents for every twenty words; for copy of any writing not specifically provided for, two cents for every twenty words.

§ 15. Clerks shall be allowed, upon a settlement with the Auditor, five per cent. commission on all taxes or revenue collected by them.

§ 16. The Secretary of State, Clerk of the Court of Appeals and the Register of the Land Office shall each render an account of all tax fees paid to them, verified by affidavit, on the first Monday in January and July in each year, and file the same with the Auditor, and pay into the Treasury all fees and taxes paid to them respectively. On failure thereof, besides their liability for the tax and money received, they shall be fined one hundred dollars for every offense.

§ 17. The tax on a license to keep a billiard table, pigeon-hole table, or pool table shall be thirty dollars for the first table, and twenty dollars for each additional table.

§ 18. Before any license for a billiard table, pigeon-hole table or pool table, or tables authorized by the last preceding section shall take effect, the person or persons to whom the same is granted shall pay to the Clerk of the County Court granting such license, the sum of thirty dollars for the first table and twenty dollars for each additional table authorized to be kept.

§ 19. All incorporated cities and towns shall have the power to grant licenses for billiard tables, pigeon-hole tables, and pool tables to be kept within the limits of such cities and towns, and may, by ordinance, prescribe the rates to be paid for such license, and make such other regulations concerning the same as may be deemed advisable; but in all cases, before the license shall take effect, the person or persons to whom the same is granted shall exhibit the State license granted by the County Clerk.

§ 20. If any person or persons who shall be authorized to keep a billiard, pigeon-hole, or pool table or tables shall knowingly suffer or permit any betting on the games played on such table

or tables, he or they shall be liable to indictment and fine, as provided by the General Statutes in the cases of keepers of gaming tables, and shall forfeit the license; and any person who shall bet on such games shall be liable as provided by law in the cases of persons betting at unlawful games. This shall also apply to betting on billiard tables kept in private houses.

§ 21. No spirituous liquors shall be kept or sold in any room where a billiard, pigeon-hole, or pool table is kept, nor any room opening into the same; nor shall any game be played on such table on Sunday. Upon conviction for a violation of either of the provisions of this section, the offender shall be fined sixty dollars for each offense, the license shall be forfeited, and no license shall thereafter be granted to the person or persons so offending.

§ 22. Every corporation or person to whom a lottery franchise has been granted by the General Assembly of this Commonwealth, and which franchise has been declared by a judgment of the Court of Appeals to be a lawful and existing one, or the lawful grantee, alienee, legatee, or assignee of such franchise, shall be authorized to operate and conduct a lottery in this Commonwealth when he, she, or it shall have filed with the Auditor of Public Accounts a certified copy of the judgment rendered, and the opinion delivered by the Court of Appeals in a case heard and determined before it, in which it has determined that a lottery could be lawfully operated under said grant from the General Assembly of this Commonwealth, and obtain from the said Auditor a license (which he is hereby authorized and directed to issue on the filing of said copies hereinabove required) reciting the filing of said copies and authorizing the operation of said lottery for one year from the date thereof on the condition that said licensee shall, within five days thereafter, pay to the said Auditor of the State the sum of two thousand dollars, and said license issued by the said Auditor, as hereinabove directed, and any and all renewals thereof, as hereinafter provided for, shall be conclusive evidence in all the courts of this Commonwealth of the right of the licensee to operate a lottery for the period therein named.

And if any corporation, person, alienee, grantee, legatee, or assignee of any lottery franchise granted by the General Assembly of this Commonwealth, and which has been declared by judgment of the Court of Appeals to be a lawful and existing one, shall operate a lottery in this Commonwealth without first having obtained the license hereinbefore provided for, the Attorney-General shall at once institute an action against it or him in the Franklin Circuit Court in the name of the Commonwealth, and shall recover therein the sum of three thousand dollars, besides the cost of the action, of which sum, when collected, one thousand dollars shall belong to the Attorney-General.

A *capias ad satisfaciendum* shall issue on the judgment

against any person provided for in this act immediately after the rendition thereof.

The license herein provided for shall be renewed on or before the first Tuesday in January in each and every year after the issuance of the original license hereinbefore directed upon the request of the licensee or his assignee, and it shall, as is provided in the case of the original license, be conditioned on the payment of the tax of two thousand dollars herein provided for, and which renewal license shall authorize the licensee or his assignee to operate and conduct a lottery within this Commonwealth, and shall have the same legal effect as the original license, as hereinbefore provided.

§ 23. All revenue received from licenses and from fines and forfeitures shall be distributed as provided in the first section of this chapter.

Article VI.

The Assessor and His Duties.

§ 1. Any person elected or appointed, at his request, Assessor of tax, who shall willfully fail to accept the office and assume the duties thereof, shall be fined the sum of five hundred dollars. The Assessor may appoint, with the approval of the County Court, as many sober, discreet, capable persons, not under the age of twenty-four years, to assist him in the discharge of his duties, as he may deem necessary. They may be removed by him at his pleasure.

§ 2. The Assessor and his assistants, before they enter upon the duties of the office, in addition to the oath prescribed in the Constitution, shall also take the following oath: "You do swear that you will fix a fair and full value on all the property listed by you, without favor or partiality; that you will diligently search and inquire so that no person shall be passed over, or shall fail to have an opportunity to give in a list of his taxable property; and that you will truly report all persons who shall fail or refuse to give in a list of their taxable property, after being duly called on for that purpose, or who have given in a false or fraudulent list, so help you God."

§ 3. The Assessor shall also at the same time give bond to the Commonwealth in the County Court, with good surety, for the faithful discharge of the duties of his office, which bond shall be recorded and kept by the Clerk thereof; and for a violation or breach of it, action may be instituted on it by the Commonwealth, or any person aggrieved, and recovery had thereon, from time to time, to the extent of the injury sustained.

§ 4. He shall commence the duties of his office on the fifteenth day of September in each year, and he shall assess his county, city, or town, by Justice's districts, in a separate book, and he

shall so proceed with each and every other district of his county, until he has assessed all the property in the county, city, or town, subject to taxation. He shall complete his list and return his tax books to the County Clerk by the fifteenth day of December in each year, together with the statement of conveyances, etc., furnished him by the Clerk, under section 2 of article 8 of this chapter.

§ 5. If, from any cause, the tax book for the year be not returned by the Assessor, the County Clerk shall copy and deliver to the Sheriff the tax book of the previous year, by the fifteenth day of February, take his receipt therefor, and notify the Auditor. By this tax book the Sheriff and Auditor shall be governed in the collection and payment of the tax into the Treasury for that year.

§ 6. The Assessor or his assistant, before he returns any one as in default, shall apply at his residence for a list of his taxable property, and in case of his absence, leave a written notice with some person of the household over sixteen years of age, or post on the front door of the residence of the time and place such person shall meet the Assessor in his county and give in his list of taxable property; and if he fails to attend and give in such list, then the Assessor shall report the person to the County Clerk and the Clerk shall report said person to the Supervisors of the Justice's district in which said person lives, who shall assess and value his property.

§ 7. If the Assessor report any one as in default under the above section, without having performed the duties required of him in said section, he shall be fined ten dollars, and he and his surety shall be liable by action upon his bond to the Commonwealth or any person injured.

§ 8. The Assessor shall, after he has returned his tax book, and the same has been corrected by the Board of Supervisors, present to the County Court his account, verified by affidavit, stating the total assessed value of the property listed by him, as shown by his tax book thus corrected; and if said court, upon investigation, finds said account to be correct, it shall certify to the Auditor the amount due to the Assessor for all services required of him by law, which shall be based on the total value of assessments made by him, corrected as above provided for, as follows: Four cents on the one hundred dollars on the first million; one cent on the one hundred dollars on the excess over one million, up to and including ten millions; and one and one-half cents on the one hundred dollars on the excess over ten millions: *Provided*, That in counties where the assessment does not exceed one million dollars, the Assessor shall be paid four and a half cents on the one hundred dollars' worth of assessed property.

§ 9. Before the County Court shall grant such certificate of allowance, the Assessor and his assistants, if any, shall take in open court the following oath: "I do swear that I have not re-

ceived from any person a list of taxable property and returned the same until the person rendering the list had made oath to the truth and value of the same, and I do further swear that I have in no instance assessed any property at a greater or less sum than I deem the fair cash value of the same." A deduction of fifty cents shall be made from the Assessor's compensation for each list he shall fail to report for taxation, or report without authority of law, and one dollar for each duplicate assessment. Twenty per cent. of the allowance for services shall be retained by the Auditor until after the September session of the County Court in the county of the Assessor, on or before which time the Sheriff shall report, on oath, to the County Court, a list of all persons, with their taxable property, so far as known to him, who were omitted by the Assessor. The report of the Sheriff, so far as approved by the court, shall be certified to the Auditor, who shall draw his warrant on the Treasury in favor of the Assessor for the amount due, after making the deductions aforesaid.

§ 10. The Assessor and his assistants are authorized to administer the oath required to be taken by persons whose property is required to be listed for taxation.

§ 11. All taxable estate shall be valued as of the fifteenth day of September in the year listed; and the person owning or possessing the same on that date shall list it with the Assessor, and remain bound for the tax, notwithstanding he may have sold or parted with the same.

§ 12. Persons listing their estate with the Assessor shall state separately the tracts of land, the number of acres in each tract, and the improvements on each tract of land, the name of the nearest resident thereto, the value of each tract separately, and where situated, giving the election precinct in which situated; the number of each town lot and the improvement thereon, in what city or town, and on which street situated, and the value of each, and also the value of the improvements thereon to the extent that the same enhances the value of each lot, and whether there is any land adjoining his owned by any non resident of the county or State, and give the name and place of residence of such owner, if known; the number of thoroughbred stallions, geldings, mares and colts, and their value; the number of stallions, geldings, mares and colts of common or mixed stock, and their value; and the number of mules, jacks, jennets and mule colts, and their value; the number of thoroughbred bulls, cows and calves, and their value; and the number of bulls, steers, cows and calves of common or mixed stock, and their value; and also all other estate owned by them and subject to taxation, with the value thereof, on the fifteenth day of September of the year in which the list is given; but no error or informality in the assessment or in the description or location of the property, or in the name of the owner or party assessed shall invalidate the assessment if the property

can, with reasonable certainty, be located from the description given, and in case of such error or informality, the Sheriff may receive the taxes and by his receipt correct such error or informality.

§ 13. The Assessor or his assistants shall administer to every person listing property the following oath before proceeding to list the property: "You do swear that the list of taxable property about to be given in by you will contain a full and complete list, and the best description you can give, of all and every species of property belonging to you or in your possession, subject to taxation on the fifteenth day of September last, and that, according to your best judgment, you will value your property at its fair cash value; and that no removal of property or omission has been made, or any method or device adoptod or practiced whereby to evade the payment of taxes by you; and that you will true and perfect answers make to such questions as may be asked you concerning your taxable property, or that of others in your possession, or about to be listed by you for them." If, in the opinion of the Assessor or his assistant, there shall be an error in any list, it shall be his duty to note the same on his tax book, so as to call the attention of the Board of Supervisors thereto.

§ 14. The Assessors shall report to the County Clerk the names of all persons refusing to give full and complete lists of their property or refusing to make oath to the same, and the Clerk shall notify the Supervisors of the Justice's district in which said person lives, and if the Supervisors fail to get a full and complete list of the property of said person, and so notify the Clerk, then the County Court, after giving five days' notice to such person, shall proceed to determine and ascertain the property and its value, and shall impose on said property a treble tax, and shall, in addition, fine such person one hundred dollars.

§ 15. The County Clerk shall issue a summons in the name of the Commonwealth, in which shall be stated the offense, in general terms, against each of the delinquents, returnable to the next term of the County Court, which shall hear and determine the case, upon giving to the defendant the right to have a jury to try the facts, if demanded before the trial is begun, which jury shall be composed of housekeepers, and summoned by the Sheriff. If the defendant be found guilty, the Court shall enter judgment for the fine and treble tax and costs. The jury, if one be demanded, otherwise the Court, shall fix the value of the taxable property upon which to impose the triple tax from its own knowledge, upon the statement of the defendant made upon oath, or upon such other evidence as it may be enabled to obtain, and the execution shall issue for the fine, triple tax and costs. The fine and tax shall be certified by the Clerk to the Auditor and accounted for by the Sheriff as other public moneys.

§ 16. The County Court, before a judgment is rendered against one reported in default, as above indicated, may, if it be satisfied that the defendant was not willfully in default, direct its Clerk to take the list of taxable property of such delinquent in the manner prescribed by law. The lists aforesaid shall forthwith be certified to the Sheriff and Auditor, to be charged to the Sheriff and accounted for by him as other revenue. In such cases, the County Court may excuse the delinquent from the payment of the fine and triple tax upon the payment of the costs of prosecution.

§ 17. It shall be the duty of the County Attorney to prosecute under the preceding sections, and if he does so, he shall be allowed twenty per cent. of the fine for his services.

§ 18. The Assessor shall, from his own knowledge, and from the statements of the person listing property for taxation, and such other evidence as he may be able to obtain upon oath of witnesses sworn by him, fix a full and fair value upon all the estate listed with him for taxation, and enter the same, with the value thereof, in the order and manner prescribed in the tax book, giving also the aggregate value.

§ 19. The Assessor and his assistants, at the time of returning his tax book, shall give in a list of their taxable property to the County Clerk, who shall administer the necessary oaths and enter the list, with its value, in the tax book of their respective districts at the end thereof, attested by the Clerk; and a failure or refusal to give in such list shall subject such Assessor or his assistant to the same penalties and liabilities imposed upon other persons for the like offense. The Clerk shall proceed, in the manner prescribed to the Assessor, to obtain a list of said estate and enter it upon the tax book, and report to the County Court the person refusing or failing as delinquent. The Assessor shall make and return, with his tax book, a list of the names of all tavern-keepers and retailers of ardent spirits, owners or keepers of stud-horses, jacks and bulls, who have obtained a license under this chapter. The list to be returned shall be copied in the book and returned to the Auditor.

§ 20. The Assessor shall state in his tax book, in the appropriate place, in full, the Christian and surnames of persons and the proper name and title of things, and other information designated in the form of the tax book prescribed by law.

§ 21. The Assessor shall make return, with his tax book, of the number of qualified voters resident in his county; and when a town or city within his county shall have a separate representation in either house of the General Assembly, he shall make a separate report of the qualified voters in such city or town: *Provided*, No such list of voters shall be made in the years 1886 and 1887.

§ 22. When it shall be known to the Sheriff that any person has failed to give in a list of his taxable property, or any portion thereof, in any year, he shall report such person to the County

Clerk, to be dealt with, fined and taxed as delinquents reported by the Assessor. No Sheriff or Assessor shall be liable to cost in proceedings against delinquents reported by them.

§ 23. Any person who has failed to give in his list of taxable property, in whole or in part, because he was not called upon by the Assessor, may at any time, and it is hereby made his duty, after the Assessor has returned his tax book, to list the same with the County Clerk, who, on taking the same, shall be governed by the law regulating the duty of the Assessor.

§ 24. The Assessor shall make out his tax book in fair, legible handwriting, in alphabetical order, according to Justices' districts, add the amount of value of each column, the aggregate thereof, and prove its accuracy before he returns the same.

§ 25. It shall be the duty of the Sheriff to report to the County Clerk all lists or parts of lists of property which may, for any year or years, have been omitted by the Assessor, and all property which corporations may have omitted for any year or years to have listed with the Auditor, and said Clerk shall enter the same on the Assessor's books for his county, and certify the same to the Auditor on or before the last day of January in each year; and the said Sheriff shall have, as compensation for said assessment, twenty-five cents, and, in addition to the fee, twenty-five per cent. on the taxes realized on said assessment. But this section does not include property erroneously described by the Assessor.

§ 26. No Sheriff shall receive taxes on property until the same has been entered upon the Assessor's books and certified to the Sheriff by the County Clerk. For each violation of this section by Sheriff or Collector, they shall be fined twenty dollars, which may be recovered by the Commonwealth by motion in the County Court or by indictment in the Circuit Court. The County Attorney, if he prosecutes, shall have twenty per cent. of the fine.

§ 27. The form of tax book shall be follows:

1	Full Name of Tax Payer, whether resident or non-resident.
2	Land—Each Tract in Acres.
3	Nearest Resident.
4	Election Precinct in which situated.
5	Value of each Tract.
6	Value of Improvements on each Tract.
7	City or Town Lots.
8	Value of each.
9	Value of Improvements on each Lot.
10	No. of Thoroughbred Stallions.
11	Value.
12	No. of Thoroughbred Geldings.
13	Value.
14	No. of Thoroughbred Mares and Colts.
15	Value.

16	16	No. of Stallions of Common or Mixed Stock.
17	17	Value.
18	18	No. of Geldings, Mares, and Colts of Common or Mixed Stock.
19	19	Value.
20	20	No. of Mules and Mule Colts.
21	21	Value.
22	22	No. of Jacks.
23	23	Value.
24	24	No. of Jennets.
25	25	Value.
26	26	No. of Thoroughbred Bulls.
27	27	Value.
28	28	No. of Thoroughbred Cows and Calves.
29	29	Value.
30	30	No. of Bulls, Steers, Cows, and Calves of Common or Mixed Stock.
31	31	Value.
32	32	No. of Sheep.
33	33	Value.
34	34	No. of Hogs over six months old.
35	35	Value.
36	36	No. of Stores.
37	37	Value.
38	38	Value of Watches and Clocks.
39	39	Value of Gold, Silver, and Plated Ware.
40	40	Value of Jewelry.
41	41	No. of Diamonds.
42	42	Value.
43	43	Value of Household Furniture in excess of $250 worth.
44	44	No. of Paintings other than Family Likenesses and Prints.
45	45	Value
46	46	Value of Professional Library.
47	47	Value of Piano-fortes and other Musical Instruments.
48	48	Value of Sewing or Knitting Machines over $30 in Value.
49	49	Value of Safes.
50	50	Value of Wagons, Carriages, Barouches, Buggies, and Vehicles of every Description.
52	51	Credits or Money at Interest either in or out of this State.
53	52	All other Demands against Corporations in or out of this State.
54	53	Money in Possession or on Deposit with Corporations or Persons in or out of this State.
55	54	Bonds of all kinds, except U. S. Government Bonds exempt from State taxation.
56	55	Stock not paid on by Corporations.
57	56	Value of Raw Material to be used in Manufacturing.
58	57	Value of Manufactured Articles.
59	58	Value of Manufacturing Implements and Machinery of all kinds.
60	59	Value of Agricultural Implements and Machinery.
61	60	Value of Agricultural Products of all kinds.
62	61	Value of Franchise.
63	62	Value of Slaughtered Animals.
64	63	Present Annual value of Annuities and Royalties.
	64	Value of Brick, Stone, or other Building Material on hand.

65	65	No. of Steam-boats, Sail boats, or other Water Crafts, or any interest therein.
66	66	Value.
67	67	Value of Patent Rights and value of Territory in which to sell Patents.
68	68	Value of Steam-engines, including Boilers.
69	69	Value of Mineral Products, Oils, Gas and Salt Wells.
70	70	Value of all Wines, Whiskies, Brandies and Mixtures thereof.
71	71	Miscellany—Value of all Property not Specified above.
72	72	Value of all Judgments or Notes in Suit or in hands of another.
73	73	Total Amount Subject to Taxation.
74	74	Total Amount of Tax at ..... Rate.
75	75	Males of Twenty-one Years of Age.
76	76	Legal Voters.
77	77	Enrolled Militia.
78	78	Children between six and twenty Years old.
79	79	Actual vote cast at last General Election in County.
80	80	No. of Bulls, Studs and Jacks.
81	81	Rates per Season.
82	82	Tavern Licenses.
83	83	Pounds of Tobacco.
84	84	Pounds of Hemp.
85	85	Tons of Hay.
86	86	Bushels of Corn.
87	87	Bushels of Wheat.
88	88	Bushels of Oats.
89	89	Bushels of Barley.
90	90	Bushels of Clover and Grass Seed.
91	91	Tons of Coal.
92	92	Tons of Pig Metal.
93	93	Tons of Bloom.
94	94	Tons of Bar Iron.
95	95	No. of Acres of Wheat.
96	96	No. of Acres of Corn.
97	97	No. of Acres of Meadow.
98	98	No. of Acres of Woodland.
99	99	No. of Cattle exempt from taxation.
100	100	Value thereof.
101	101	Value of all other Property, after deducting debts.

A sufficient number of blank copies thereof shall be printed by the Public Printer, under the direction of the Auditor, and transmitted to the Clerk and Assessor of each county by the first day of September in each year.

ARTICLE VII.

Board of Supervisors.

§ 1. The County Judge of each county, at the November term of the County Court, shall appoint five intelligent, discreet housekeepers, resident in different portions of the county, and no two of whom shall be appointed from the same district. They shall constitute a Board of Supervisors in the county, who, after being duly sworn, shall proceed to discharge their duties. They shall be allowed one and a half dollars per day for each day they may be necessarily employed, to be paid out of the State revenue. A copy of the order of appointment shall be made by the Clerk, and delivered to each by the Sheriff.

§ 2. A failure to be in attendance promptly on the day set for the session of said Board to begin, shall, without a reasonable excuse therefor, subject the person or persons so failing to a fine of twenty dollars, and the vacancy or vacancies so created, or any vacancy or vacancies caused by death, resignation, or otherwise, shall be filled by the County Judge.

§ 3. It shall be the duty of said Board to hold their sessions two days; but they may hold them six days; and in the counties of Kenton and Campbell said Board may hold its sessions ten (10) days: *Provided, however*, That in the county of Jefferson and city of Louisville said Board may hold its sessions for twenty days.

§ 4. If the County Judge fails to appoint such Supervisors as indicated in section 1, it shall be the duty of the members of the old Board to act after being notified; and for a failure to act, they shall be subject to the same penalties, under the same conditions, as are imposed in the second section. If the County Judge fails to make such appointments, it shall be the duty of the Clerk of the County Court to prepare a written notice to each member of the old Board, informing them of such failure and of their duty to be in attendance at the next sitting of the Board; such notice to be served at once by the Sheriff of the county. If within the time prescribed the County Judge fails to make the appointments, the County Judge shall be fined not less than one nor more than five hundred dollars on indictment and conviction in the Circuit Court of the county in which the said County Judge resides.

§ 5. The said Supervisors shall convene at the county seat of their respective counties on the first Monday of January in each year. Previous to their meeting, it shall be the duty of the County Clerk to deliver, or cause to be delivered, to said Supervisors the Assessor's book for the county, together with a state-

ment of the conveyances made during the preceding year in the county, showing the names of the parties, and the considerations of the same, which shall be considered by said Board, in connection with other information, in ascertaining and fixing the true cash valuation of property in said district.

§ 6. They shall make a careful examination of the Assessor's book, and shall correct any errors of the Assessor, and in each and every case where the property has not been correctly valued they shall value and equalize all of the property of their district; and in every case they shall so correct said Assessor's book as to have the said book to show the cash value of said property.

§ 7. The Board shall examine all complaints made to them while in session, and may swear witnesses.

If the Board shall be of the opinion that the complaints are well founded, it shall correct the errors of the assessment complained of, but shall not reduce an assessment unless the evidence be clear and unmistakable that the valuation is too high.

§ 8. If the Board desires, the Assessor or one of his assistants must attend the session of said Board, and shall give evidence and information upon oath concerning the business before the Board, and said Board shall have power to compel attendance and summon witnesses before it to enable it to discharge its duties.

§ 9. If the Board, during its session, finds the tax list of any person omitted by the Assessor, they must enter the same in said tax book, or if they find property of any kind or character that has not been assessed, and for which they can find no owner, they shall first describe and locate said property, then assess and value the same. They shall keep a record of their proceedings and correct the tax book thereby. They shall annex their certificate that they have examined, corrected and approved the tax book, and shall return said tax book and their record to the County Clerk for safe keeping within twenty days after the first Monday in January in each year, and they are responsible for the tax book while in their possession.

§ 10. The Clerk shall certify to the County Court the approval of the tax book, and the County Court shall enter the fact upon record. On the presentation of a copy of the order, the Auditor shall settle with the Assessor as is provided for by law.

§ 11. The following oath shall be taken and subscribed to by the Board before entering upon their duties: "I, ——— ———, swear (or affirm) that I will, to the best of my ability, discharge the duties required of me as Supervisor of tax, and that I will, in each instance, where the property has not been assessed at a fair cash value, increase or decrease the valuation so as to make it conform to its fair cash value."

§ 12. Any informality or irregularity in the execution of their duties as Supervisors, and any failure of duty on their part shall not render any assessment invalid.

ARTICLE VIII.

Duties of the Clerks in Relation to the Revenue.

§ 1. The Clerk of the County Court, after the examination and approval of the tax book by the Board of Supervisors, shall make two copies thereof, one for the Sheriff and the other for the Auditor. He shall test the accuracy of the extensions and additions in said book, make additions of each column, recapitulate the footings of each page so as to show the aggregate amount, and copy on each page the same amount of matter, and no more than is upon the original tax book. He shall deliver the copy to the Sheriff on or before the first day of March, and take his receipt therefor; the other copy he shall transmit by mail or otherwise to the Auditor on or before the fifteenth day of February.

§ 2. The Clerk shall, on or before the fifteenth day of September of each year, make and certify to the Assessor a complete statement of all conveyances made during the preceding year, by Justices' districts, showing the names of the parties, the date of conveyance, and the consideration of the conveyance, and shall send to the Auditor a true and exact copy thereof, with the copy of the Assessor's book, for which service he shall be allowed at the rate of five cents for each conveyance.

§ 3. A person claiming to be improperly charged with any tax assessed, after the meeting of the Board of Supervisors, may, at any time, not later than the next regular County Court after he has received notice of the same by demand being made upon him to pay the tax, offer evidence in support of said complaint to the County Court of the county in which the assessment was made, and if said court after due consideration of the evidence, finds that the property has been assessed at more than its fair cash value, it may correct the same by reducing the assessment to the fair cash value; but all orders reducing assessments shall be void, unless due notice be first given to the officer who assessed the property, or to the Board of Supervisors of the district in which complainant lives. A County Court shall have further authority after giving notice to the Sheriff and Assessor, to correct any mere clerical errors in the assessment, and any correction made without such notice shall be void.

§ 4. The County Court, before allowing and certifying any delinquent list, upon the application of the Sheriff, shall administer to the Sheriff and his deputies the following oath:

"You do swear that this list of insolvents and delinquents, now before the court and returned by you, is just and true, as you believe, according to the knowledge which you have; and that you have been to the residence (if in the county) of the party from whom the tax is due, and that you can not find any property liable to sale for taxes; and that you will true answers make to all questions asked you touching said lists, and the efforts made by you to collect the amount thereof."

The court shall then proceed to examine the Sheriff, to ascertain the truth of the facts, and upon such answers, and other evidence, and their own knowledge, to allow such portions of the lists as may be right, which, being certified as allowed, shall entitle the Sheriff to a credit in his official settlement.

§ 5. Each Circuit and County Clerk shall make out an account of all taxes and other public money received by him up to the first day of each Circuit Court, and said reports shall show in detail of whom said moneys were received, for what, and when received, and shall be verified by him and entered of record; and he shall pay over to the Trustee of the Jury Fund so much thereof as the Court may by order direct, as being necessary for the payment of the jurors, and the original account certified, with the order of Court, shall be transmitted with the balance of the fund to the Auditor. The Clerk shall be allowed five per cent. commission on said sums reported by him, which may be deducted before paying over the money aforesaid. If any Clerk shall fail to perform the duties required of him in this section, he shall be liable on his official bond, with twenty per cent. damages thereon, which may be recovered by action in the name of the Commonwealth in any court of competent jurisdiction.

§ 6. Clerks of Courts, Sheriffs, and all other public officers and their sureties, and the heirs, distributees, devisees and personal representatives of each may be proceeded against by action or motion, jointly or severally, for their liabilities or defalcations, by the Commonwealth in her own right.

§ 7. The Clerk of each County Court shall furnish to the Circuit Court, to be laid before the grand jury at each term, a list showing the names of all persons to whom he or the County Court has issued a license upon which a tax is required to be paid, and for what granted.

§ 8. The County Clerk shall, within one month after the Sheriff executes his bond for the collection of the revenue, transmit the same to the Auditor, and retain a copy thereof in his office. A failure to do this shall subject him to a fine of three hundred dollars, and for the payment of which the sureties on his official bond shall be liable.

§ 9. The fees of the County Clerk for services rendered under the provisions of this chapter, and not elsewhere provided for, shall be as follows: For copying tax book for Sheriff and Auditor, for each line across the page of each copy, including the name of the person and the last number of total value,

two cents, and the same allowance for the recapitulation sheet, to be ascertained by the Auditor, and paid by the Treasurer on the warrant of the Auditor. For issuing a license under this chapter, twenty-five cents, to be paid in advance. For taking bond when required, twenty-five cents, to be paid by the applicant in advance. If a tax book, returned by a County Clerk, shall contain such errors in the extensions and additions as to make it doubtful as to the true amount of revenue due upon the same, the Auditor shall return the book to the Clerk for correction. The Clerk shall not be paid for said book, but shall be charged by the Auditor for the expense of transmitting and returning the same, and said Clerk shall be liable on his official bond to the Sheriff, and also to the State for any damage which may occur to either by reason of any mistake made by said Clerk.

§ 10. Clerks of County Courts shall report on the first day of the fall term of their respective Circuit Courts, a complete list of all those reported by the Assessors as owners of stud-horses, jacks and bulls, showing who have taken out licenses, the amount paid therefor, and to whom paid; which report shall be recorded by the Clerk of the Circuit Court, and certified to the Auditor, and a list of those who have not taken out license, made out and given in charge to the grand jury for inquiry.

§ 11. Clerks of County Courts shall also report the names of all persons to whom they or the County Court has issued licenses under any law of this State, showing the date, for what granted, amount of tax paid therefor, and to whom paid, which report shall be examined and approved by the County Judge, recorded by the Clerk of the Circuit Court, and certified to the Auditor.

§ 12. It shall be the duty of the Clerks of the Circuit and County Courts, and of the Trustees of the Jury Fund of this Commonwealth, to keep a well-bound book in their offices, in which they shall enter at the time it is receivable or when received, all taxes or other moneys received by them for the Commonwealth, showing of whom received, on what account, amount and date, which book shall at all times be open to public inspection.

§ 13. It shall be the duty of Clerks of Circuit Courts to issue executions and place them in the hands of the Sheriff within twenty days after the adjournment of each term of their respective courts, upon all jury fees which remain unpaid; and upon failure to do so, shall be held responsible on their official bonds for the amount of such jury fees upon which they have failed to so issue executions.

§ 14. It shall be the duty of the Circuit Court Clerks of this Commonwealth to issue proper process, and place the same in the hands of the Sheriff, taking his receipt therefor, within ten days after the adjournment of each term of court, on all judg-

ments in favor of the Commonwealth which have not been paid or replevined in the office, or remitted or respited by the Governor, and shall, within ten days after the maturity of each and every replevin bond on any such judgment, issue execution and place it in the hands of the Sheriff, as aforesaid; and upon any such execution issued upon any such replevin bond being returned by the Sheriff without making the money, he shall re-issue execution from time to time, at least once in every ten months for five years, and as often thereafter as demanded by the Commonwealth's Attorneys and the Trustees of the Jury Fund, and place in the hands of the Sheriff, as aforesaid; and upon all such judgments, executions or *capias pro fine*, which may be staid or respited by the Governor, the Clerk shall issue proper process and place in the hands of the Sheriff, as aforesaid, within ten days after the expiration of such stay or respite. And it shall also be the duty of said Circuit Court Clerks to make out and forward to the Auditor, some time in the month of June in each year, a full and complete list of all unpaid judgments, as aforesaid, showing at what date execution or other process issued, to whom delivered, what return has been made, and the date thereof; and upon failure to issue execution as required in this section, the Clerk so failing shall be held responsible on his official bond for the amount of the judgment, interest and costs to which such failure is applicable. But nothing in this section shall be construed to authorize the Governor to remit any judgment, unless the same be for a fine imposed as a punishment.

§ 15. After the expiration of twelve months from the rendition of any of said judgments, or of the maturity of any of said replevin bonds, the Clerk so failing to issue execution may defend any proceeding instituted for such failure by showing that such execution could not have been collected if issued.

§ 16. It shall be the duty of the Clerks of the Circuit Courts to report to the Auditor, at the same time that he makes the report required in the preceding sections, a list of all such judgments, executions, etc., named in the said preceding sections, which have been paid in court, or as appear from returns or other entries upon his books, or returns of executions or other process, have been collected since last report, by whom, and from whom collected, amount and date.

§ 17. It shall be the duty of the Circuit Court Clerks to forward to the Auditor, within ten days after the adjournment of each term of court, a list of persons who have been ordered by the court to pay money to the Trustee of the Jury Fund, showing on what account and amount.

§ 18. It shall be the duty of all officers who are authorized by law to pay money to the Trustee of the Jury Fund to take duplicate receipts therefor, and forward one copy thereof to the Auditor; and any payment so made shall not be deemed valid unless such receipt is so forwarded.

§ 19. Upon failure or neglect to perform any duty required by the tenth, eleventh, sixteenth and seventeenth sections of this article, the officer so failing shall, for each offense, be fined not less than ten nor more than fifty dollars, at the discretion of the court; and upon failure to perform any of the duties required by the twelfth section of this article, the officer so failing shall be fined, for each offense, not less than one hundred nor more than three hundred dollars, at the discretion of the court.

§ 20. Upon failure of any Circuit or County Court Clerk to make and forward to the Auditor the reports required by this article, he shall be fined not less than two hundred nor more than three hundred dollars for each offense, which may be recovered by motion, action or indictment in the Franklin Circuit Court.

§ 21. Any Trustee of the Jury Fund failing to make the settlement as required by law, shall be fined not less than three hundred nor more than five hundred dollars for each offense, which may be recovered by motion, action or indictment in the Franklin Circuit Court.

§ 22. The Clerk of the Court of Appeals shall, in the months of June and December of each year, report under oath to, and settle with the Auditor, for tax and public money which shall come to his hands, and pay the amount due from him, after deducting five per cent. for commission, into the Treasury. For each violation of this section, said Clerk may be fined in the Franklin Circuit Court, on motion or action in the name of the Commonwealth, not exceeding one hundred dollars, and shall be liable in the same manner to judgment and twenty per cent. damages for all public money and tax due from him.

Article IX.

Collection of Revenue.

§ 1. The Sheriff, by virtue of his office, shall be collector of the revenue. If he fail or refuse, without a valid and legal excuse, to execute bond, with surety, as required by law, for the collection of the revenue, he shall forfeit his office and be fined five hundred dollars. The County Court shall thereupon appoint a collector of revenue for that year. The court shall take of said collector a bond, with good surety, for the faithful execution of the duties required of him by law. Said collector shall be governed by the laws regulating the duties of Sheriffs in the collection of the revenue, and he and his sureties shall be jointly and severally liable to the Commonwealth and all others, in the same manner that the Sheriff and his sureties would have been. In the event that the County Court fails to make such appointment for thirty days, the Auditor may appoint a collector for that county.

§ 2. No Sheriff who shall forfeit his office under the provisions of the preceding section, or who shall resign his office, shall be appointed collector of tax for that county, or elisor, or deputy collector or elisor, and if such appointment should be made, he shall receive no compensation for his services as such.

§ 3. A quietus by the Auditor for the revenue tax for the preceding year shall be produced by each Sheriff to the County Court on or before the December term, and no tax book shall be delivered to a Sheriff after the first year of his term who shall fail to exhibit such quietus on or before the first day of the December term. Upon such failure, the County Court shall appoint a collector of revenue; and if such court shall fail for thirty days to make such appointment, the Auditor shall make the appointment. A court or Auditor making the appointment shall be governed by the preceding section, and shall not appoint the Sheriff failing to exhibit his quietus.

§ 4. The Sheriff shall, on or before the first Monday in January next succeeding his election, and annually thereafter, enter into bond, with surety, for the collection of the revenue and public dues. He may execute bond and qualify at any time after he receives his certificate of election up to and including the first Monday in January next succeeding his election; and it shall be the duty of the Judge of the County Court to hold a court at any time the Sheriff may request for that purpose. The County Court shall judge of the sufficiency of the surety; and in no case shall sureties be taken who are not jointly worth, subject to execution, after the payment of all their debts and liabilities, a sum equal to the aggregate amount of revenue to be collected for the year. The Commonwealth shall also have a lien, from the date he begins to act, upon the real estate of the Sheriff then owned or afterward acquired by him, which shall not be discharged until a quietus is obtained for all the revenue and public dues he is bound for, and in all actions upon such bonds no defense shall be interposed except a plea of *non est factum* or payment.

§ 5. The Commonwealth shall have the same lien upon the real estate of a usurper of the office of the Sheriff, or a *de facto* Sheriff, or any person who may act as Sheriff or Collector, as upon the real estate of a Sheriff, as provided in the preceding section.

§ 6. The bond of the Sheriff or Collector for the collection of the revenue and all other public dues shall be in substance as follows:

"We, A. B., the Sheriff of ——— county, Kentucky, and C. D. and E. F., his sureties, bind and obligate ourselves, jointly and severally, to the Commonwealth of Kentucky, that the said A. B., Sheriff of ——— county, shall faithfully perform the duties appertaining to the collection of revenue, and shall, within the time prescribed by law, collect, account for and pay into the Treasury of the State, and to the persons entitled

thereto, according to law, all taxes and public dues arising from the assessment for the year ——; also all fines, amercements and penalties directed or authorized by law to be collected or received by him within the county of ———, within the said year.

"Witness our signatures, this —— day of ——."

§ 7. If the Sheriff shall die during his term of office, his sureties shall have the right to nominate a person to collect the revenue for that year, and upon their written nomination of such person he shall be appointed by the County Court, and the sureties shall remain liable to the Commonwealth for the taxes with which their principal was charged: *Provided*, That this section shall not apply when in any case the sureties, in the opinion of the County Court, are not in the aggregate worth, in property subject to execution, above their debts, the amount of the taxes with which their principal was charged.

§ 8. The Sheriff, from and after the first day of February in each year, shall collect the taxes due in his county, and upon failure by the persons bound therefor to pay the same, may distrain the goods and chattels owned by or in the rightful possession of the persons from whom the tax is due, notwithstanding the existence of any lien upon the same; and may proceed to sell the title of such person in so much thereof as will pay the tax due and all costs, in the mode prescribed by law. He shall retain the amount of tax, county levies, and other public dues against individuals, out of any claims allowed by the Commonwealth or the County Court to such individuals, notwithstanding any assignment of the same.

§ 9. That the Sheriff or Collector of the State revenue in each county of this Commonwealth shall, on the first day of May and every sixty days thereafter, under oath, report to the Auditor of Public Accounts the amount of taxes he has collected, and pay the same over immediately, and shall account for and pay all taxes for which he is bound into the State Treasury by the first day of November, in each year; and upon his failure to do so, he and his sureties shall be liable therefor, and shall be proceeded against at the first term thereafter of the Franklin Circuit Court. Any person or persons failing to pay their taxes by the first day of September, in the year following the assessment for such taxes, shall pay six per cent. additional on the tax so due and unpaid. Any Sheriff who shall fail to report, as herein required, shall be liable to indictment in the Franklin Circuit Court, and fined not less than one hundred dollars nor more than five hundred dollars for each offense; and it shall be the duty of the Auditor to report to the grand jury of Franklin county, at the next term of said court after such failure to report, the name of such Sheriff so failing to report. The Sheriff shall be required by the Auditor to pay a penalty of six per cent. on all taxes due and unpaid on the first day of November in each year. The Auditor, in his settlement with the Sheriff,

shall charge him with the six per cent. accruing under the provisions of this chapter.

§ 10. A Sheriff may deposit the revenue as he may collect it, if authorized or required to do so in writing by the Auditor, in any bank within this State, and within one hundred miles of the residence of the Sheriff, to be named by the Auditor, to the credit of the Treasury, taking three receipts of the cashier of said bank, stating the amount deposited, and when and by whom. One of these shall be forwarded to the Treasurer and one to the Auditor. The amount thereof shall be credited to the Sheriff in his settlement with the Auditor.

§ 11. The Sheriff shall pay over to the Trustee of the Jury Fund, out of any public money in his hands, the amount he may be required to pay by the order of the Circuit Court of his county to meet any deficiency in said fund. He shall take duplicate receipts for the same, one of which he shall forthwith transmit to the Auditor, and upon the settlement of his accounts, shall be credited with the amount so paid.

§ 12. Sheriffs shall be allowed by the Auditor the following commission upon the sums collected, and accounted for or paid into the Treasury in each year: Upon the first five thousand dollars, ten per cent., and upon the residue four per cent.

§ 13. The Sheriff, before he makes a levy for taxes, shall demand the same from the person from whom the tax is due, if resident of and in the county, and tender a receipt therefor if it be required, in which he shall specify the taxable estate with which such person is charged, the value and amount thereof, and the tax due. If he shall distrain before the demand, if the tax payer is a resident of and in the county, and before he tenders the receipt, if it be required, he will forfeit and pay to the person aggrieved, double the amount of such tax, and such damages as he may sustain, to be recovered by action in his own name: *Provided, however*, He may distrain without the demand after the first day of July of the year for which the tax is due: *And provided further*, That if the Sheriff has reasonable grounds to believe that the person from whom the tax is due, is about to remove his property from the county, or to conceal the same, he may distrain at any time without the demand.

§ 14. The Sheriff shall, after having advertised at the courthouse door the time and place of sale for at least ten days, sell at public auction, for money, so much of the property levied on for taxes as will pay the tax and costs. If the Sheriff make illegal or unreasonable seizure and levy for taxes, he shall be liable in damages to the party aggrieved.

§ 15. If there be no personal property that the Sheriff or Tax Collector can distrain for taxes due, and the same shall not be paid by the first day of June, the Sheriff or Tax Collector shall sell, for cash, any real estate belonging to or listed by such delinquent tax payer, or so much thereof as will pay the taxes due and his commission, in the same manner that lands are sold

under execution, except that the land shall not be valued or levied on, and shall be advertised by posting, for fifteen days before the sale, a written or printed notice at the court-house door, and by publication, once a week for four weeks prior to the day of sale, in a newspaper of general circulation, if there be one in the county; if not, then by printed hand-bills posted for fifteen days before the sale, at the court-house door and in three or more conspicuous places in the tax district, and he shall, not less than fifteen days before the sale, mail to the delinquent a postal card addressed to his place of residence, or place of business, if such can be ascertained, notifying him of the time and place of the sale, and, in order to cover the cost of such advertisement and notification, the Sheriff shall have two dollars for each person whose property is advertised, to be paid by the delinquent, but in no event to be paid by the State.

§ 16. If no one will bid for and purchase such land at the amount of the tax, the charges due and the cost of the sale, including the cost of advertising, it shall be the duty of the Sheriff or Collector to purchase the same for his county, bidding therefor the amount of the tax due and the costs of the sale, less the two dollars for advertising. The Sheriff shall thereupon account to the State for the amount of such tax and costs, less ten per cent., and shall pay the same out of the funds of the county held by him, and it shall be accepted by the Auditor in full of the claim of the State. The owner of such real estate, his representatives, heirs or assigns shall have the right to redeem the same from the county, or any other purchaser, at any time within two years after the day of sale, by paying the purchase money with interest at the rate of thirty per cent. per annum, and in addition fifteen per cent. on the total amount of the purchase price and the amount of the Clerk's costs, if any. The county shall have the right of possession of lands purchased by it at any time after the expiration of thirty days from the giving of the notice provided for in the next section, and the purchaser other than the county shall have the right of possession of the lands purchased by him at any time after the expiration of six months from the giving of the notice provided for in the next section.

§ 17. It shall be the duty of the County Attorney for each county, within fifty days after the sale, to notify the owner of land purchased by the county of such purchase; and if the land so purchased be not redeemed within thirty days from such notification, he shall institute proceeding for the recovery of the possession of such land; and if such land be redeemed after such proceedings are instituted, the owner shall in addition pay the costs of such proceeding. The failure of the County Attorney to give such notice and institute such proceedings within the time specified shall subject him to a fine of twenty dollars for each offense; and it is hereby made the duty of the County Judge to report each and every such failure to the Circuit Court

at its next term thereafter, whereupon the Circuit Judge shall cause to issue a rule against said County Attorney to show cause, if any, why said fine shall not be entered up against him, and such fine, when collected, shall be for the benefit of the county. In every case where such lands are redeemed from the county, the County Attorney shall have as his commission, when he attends to his duties, twenty per cent. of the amount of money paid to redeem such land; but if he shall fail to attend to his duties he shall receive no commission, and the whole of the redemption money shall belong to the county. It shall be the duty of the purchaser other than the county, within fifty days after the sale, to give notice in writing to the owner of land purchased by him of such purchase, and if such land be not redeemed within six months after said notice, he may institute proceedings for the recovery of possession of such land.

§ 18. If the land be not redeemed within the two years allowed for that purpose, the fee-simple title thereto shall vest absolutely in the county, and if said lands, purchased by individuals, be not redeemed within the two years allowed for that purpose, the fee-simple title shall at once vest in such individuals. The county may, at any time after the period for redemption has expired, sell and convey such lands for such price and in such manner as may be directed by the County Levy Court.

§ 19. As between the purchaser and the former owner of the property, it shall be conclusively presumed that all the steps necessary to pass a good title have been duly and regularly taken, except that the former owner may show by pleading and proof:

1. That the land was never assessed; and in order to show this it will not be sufficient to show that the assessment was defective merely.

2. That the property was not subject to taxation at the date of the assessment.

3. That the taxes were paid before the sale.

§ 20. Any one injured by a failure in, or the improper performance of, the duties of the Assessor or Sheriff, shall have a remedy on his official bond, and the criterion of his recovery shall be the value of the property lost by reason of such failure. No such action shall be maintained, unless such person shall allege and prove that he made diligent effort to have such property assessed and offered to pay the tax thereon, and on all other real property of his liable to assessment.

§ 21. Any minor, or other person laboring under legal disability, except a lunatic or married woman, at the date of sale, shall have one year after the removal of the disability, within which to redeem such property, which may be done by paying the purchase money, with fifteen per centum on the amount thereof, and interest at the rate of thirty per cent. per annum from the date of the sale, and the costs of the sale. But any

purchaser other than the county shall forfeit his right to his purchase, unless, within six months after the sheriff shall have delivered to him a certificate of his purchase hereinafter provided for, he shall, in writing, give notice of his purchase to both husband and wife, in case the purchase be of the land of a married woman; or to the statutory guardian of an infant, if there be one; if not, to the parent; if none, to the persons having in charge such infant, if the purchase be of the land of an infant; or to the committee of the lunatic, if one; if none, then to the person having charge of such lunatic, if the purchase be of the land of a lunatic. If the lands of a lunatic or married woman be not redeemed within five years from the reception of the notice, the sale shall become absolute.

§ 22. If, after receiving such notice, the guardian of an infant or committee of a lunatic fail to redeem such lands, he shall be liable on his official bond for all damages incident to such failure.

§ 23. The Sheriff shall, within thirty days after the sale, give certificates of purchase describing the land, and stating the time of sale and the price for which said land sold, to all purchasers of lands; and in all cases where the purchaser of such lands is the county, the Sheriff shall, within six months, give the notice required by the twenty-first section; and for a failure on his part so to do, he shall be liable on his official bond for all damages incident thereto, but the title of the county shall not be thereby affected; but if the owner of land purchased can not be found, then the notices required by sections 17, 21 and 23, shall be served as follows, viz: First, upon any member of his family in the county over sixteen years of age; if none, then, second, upon his agent, if any in the county; and if none, then, third, by a printed or written notice, posted at or near the court-house door and on or near the premises.

§ 24. Where the right to redeem shall have expired, the Sheriff then in office shall convey to the purchaser the property described in his certificate of purchase, for which deed he shall be allowed a fee of one dollar, to be paid by the grantee in the deed.

§ 25. If the purchaser be the county, the land may be redeemed for an infant at any time during the infancy, and by him within one year after his maturity, by paying the amount necessary to the County Clerk, who shall enter upon the book mentioned in section 27, the word "redeemed" after the description of the land, and shall sign his name, in his official capacity, to said entry. The lands of a married woman or lunatic may be redeemed at any time within the period mentioned in section 21 in the same manner.

§ 26. If the purchaser be a non-resident of the county, having no known agent in the county, or if, being a resident, he can not be found at his usual place of abode, the land may be redeemed within the time and in the manner stated in the last preceding section; but if he be a resident of the county, and can be found at his usual place of abode, or if he, being a non-resident, has

a known agent, who can be found at his usual place of abode, the redemption money must be paid to the purchaser or his agent, as the case may be; and in every case the certificate of purchase shall be surrendered to the party redeeming, who shall, by exhibiting the same to the County Clerk, be entitled to have the claim released of record, as in the last preceding section described.

§ 27. Within twenty days after the sale, the Sheriff shall, in his official capacity, make a report, in writing, to the County Clerk, showing when the sale was made, the steps taken by him with reference thereto prior to and at the sale, to whom, for what price the land was sold, giving a description of the land sold as fully as he is able to do, which report shall be recorded and indexed by the County Clerk in a book to be provided by him for that purpose. The Sheriff shall at once notify the County Attorney of the filing of said report. Said report, when recorded, shall operate as a conveyance, and vest the title to the property of all persons *sui juris* in the county when purchased by the county, and shall be constructive notice to the world of the claim existing in favor of the purchaser, whether a county or an individual, against the lands of persons laboring under no legal disability. If the Sheriff shall fail to make said report, he shall be subject to indictment in the Circuit Court, and upon conviction shall be fined not less than five hundred nor more than one thousand dollars; but the title of the county shall not thereby be affected, and said report may be afterwards filed and recorded with the same effect as if filed and recorded at the proper time.

§ 28. If the Sheriff fails to make the return of sale to the County Clerk heretofore provided for, any individual purchaser may file with the County Clerk the Sheriff s certificate of purchase which the Clerk shall record and index in the book aforesaid, and the same shall have the same effect as the Sheriff's report would have had if returned.

§ 29. Copies of the records aforesaid, certified by the County Clerk, shall be evidence of the facts stated in them in all the courts of this Commonwealth.

§ 30. If any Clerk shall fail to pay the redemption money to the person entitled thereto on demand, he and his sureties shall be liable for the same and twenty per cent. interest thereon annually from the time he received it until paid.

§ 31. The Clerk shall be allowed for his services under the foregoing, one cent for each line of the book employed in recording the report, and he shall be paid thirty cents by the delinquent who redeems property for each release made by the Clerk.

§ 32. *Provided*, That in all cases where Sheriffs or Collectors of State revenue are compelled to sell and bid in and purchase for his county any real estate, as provided for in article 9 of this act, and it is ascertained thereafter that the party who listed

said real estate for taxation upon which the same was sold did not hold a good title to the same, or that said real estate had been listed and the tax paid on it by another person, or that the same was wrongfully assessed against said person, it shall be the duty of the Auditor of Public Accounts of the State, upon the order or certificate of the Circuit Court of the county in which the real estate was sold, certifying that said court, upon motion made by the County Attorney of said county, had investigated said case, and that the party who listed the real estate did not hold a good title to same, or that the tax had been paid by another person, or that the same was wrongfully assessed against said person, to issue his warrant on the Treasurer of the State in favor of the County Judge of said county for the amount that the Sheriff or Collector paid the State out of the county funds.

§ 33. That it shall be the duty of the Judge of the Circuit Court, upon motion of the County Attorney, made at any term of said court to hear proof on said motion, and if it shall appear to the satisfaction of said court that the Sheriff or Collector has purchased any real estate for said county under article 9 of this act, and paid the Auditor for same out of the county funds, and that the party who listed the same for taxation did not hold a good title to it, or that the same had been listed in the name of another person and the tax paid by said person for said year, to certify the same to the Auditor of Public Accounts of the State, whose duty it shall be to issue his warrant as provided for in section 32 of this article.

§ 34. If any Sheriff shall knowingly sell the same tract or parcel of land more than once, he shall be fined one hundred dollars and be liable upon his official bond for all damages which may be sustained by any party aggrieved.

Article X.

Collection of Taxes by Attachment.

§ 1. If the Sheriff or his deputy, or other person having revenue, county levy, or other taxes of any character, or other public dues in his hands for collection, believes another person to be indebted in money or property to the person owing taxes or public dues, and believes he can not otherwise collect the tax, he shall deliver, or cause to be delivered, to the person owing the taxes or public dues, if in the county, and to the person owing him, anywhere he may be found, written notice, in substance as follows:

"Mr. A. B., the taxes due by C. D., amount to the sum of $———— cents. To that extent you are notified not to pay or deliver to him any money or property which you now are, or

may hereafter be indebted to him, and to appear before the County Court of ——— county on the first day of its next term, to show cause why you should not be adjudged to pay said taxes. This ——— day of ——— 18——.

"———————————, Sheriff."

§ 2. This notice shall be signed by the Sheriff or his deputy, or by the Collector, and shall operate to enjoin the persons named in it from paying the amount mentioned in the notice; money, property, notes, accounts, or other thing of value, owing at the time of the service of the notice, or accruing thereafter, until the matter is heard by the County Court. On the hearing by the County Court, the debtor of the delinquent shall be compelled to disclose in open court all matters of account and indebtedness, whether for money, property, or labor owing at the date of the notice, or incurred thereafter. The court shall direct the said debtor to pay or deliver to the Sheriff or Collector any money, property or other thing then, or at the time notice was served, due said delinquent, or to the extent of such taxes and costs, or to the extent of his liability, including such as accrued after notice, though paid or discharged; and if it be property, the Sheriff shall sell the same, after advertising by hand-bill posted at the court-house door for ten days. If the persons so indebted to the person owing taxes fail to attend, or fail to make disclosure, the court shall render judgment against them for all the taxes.

§ 3. The person owing the taxes shall not be discharged from liability for them until they are fully paid, or the amount of them realized under the proceedings aforesaid.

§ 4. All persons indebted to the person owing the taxes may be included in the same notice, though residing out of the county of the Sheriff or Collector.

§ 5. The proceedings shall be docketed in the name of the Commonwealth, and, if necessary to the interest of the Commonwealth, the court may cause other parties to be brought before it and made parties to the proceedings.

§ 6. The court may hear evidence, and in its judgment shall provide for the payment of the State revenue first; next, the county levy due; and if there be other taxes due, the court shall direct the payment thereof in the order it may deem proper, provided that the delinquent shall have the right to defend by showing:

1. That the property has never been assessed; but it shall not be sufficient to show a defective assessment merely.

2. That the property is not subject to taxation.

3. That the taxes have been paid.

§ 7. If any person bound for tax shall be insolvent or shall have removed out of the county with his estate, after he was assessed for tax and before a sufficient time to collect it had elapsed, the Sheriff shall, at the Court of Claims of his county, make out a list of insolvents and removals, stating therein the

amount of tax due from each individual, the property assessed and the county or place to which they may have removed; which list the Court of Claims shall carefully examine and strike therefrom such as they may know, or have evidence to believe, are not insolvent, or who have not removed, or whose tax could have been collected before removal by reasonable diligence on the part of the Sheriff. The list, certified by the Clerk, if produced to the Auditor, shall entitle the Sheriff to a credit for the amount; and the Auditor shall transmit the lists of delinquents, with the amount of the tax due, to the Sheriff or Collector of the proper county for collection, who shall collect and account for the same as other revenue.

§ 8. No Sheriff or Collector shall collect or receive the taxes named in any such list or lists until the same is transmitted and placed in his hands by the Auditor for collection. A violation of the provisions of this section shall subject the Sheriff or Collector so offending to a fine of not less than ten nor more than two hundred dollars.

§ 9. When any Sheriff or Tax Collector shall have accounted for and paid the tax of any person, not having collected the same, and such person shall have no property in the county of such Sheriff or Collector, upon the delivery of a certified copy of the tax list of such person, and a tax receipt therefor, to the Sheriff or Tax Collector of any other county, such Sheriff or Tax Collector shall be authorized to collect, levy and distrain for same, and shall, upon collection thereof, pay the same over to the Sheriff or Collector who may have accounted for and paid such tax.

§ 10 The Sheriff shall, upon payment of money into the Treasury, take the receipt of the Treasurer and file it with the Auditor, who shall credit him thereby; and when the whole revenue and public dues collected by the Sheriff shall have been accounted for or paid, the Auditor shall give to said Sheriff a quietus All money paid into the Treasury shall be charged on account by the Auditor to the Treasurer.

§ 11. Sheriffs or their personal representatives shall have the same power, for five years after the expiration of their term of office, to collect arrearages of revenue which fell due during their official term, and for which they are and were responsible, as they had before the expiration of their term of office.

§ 12. Suits and motions against Sheriffs and their sureties, public debtors and all others required to pay money into the Treasury, or to do any other act required by law to be done connected with the payment of money into the Treasury after it has been collected or the giving the Auditor the information upon the subject of the collection and payment of the revenue into the Treasury, may be instituted in the Franklin Circuit Court, and prosecuted as prescribed by law.

Article XI.

Proceedings against Sheriffs and others to compel the payment of Revenue into the Treasury.

§ 1. If any Sheriff, Clerk or other person authorized to collect or receive the public money, revenue or tax, shall fail to account for or pay into the Treasury as required by law, the Auditor shall proceed in the name of the Commonwealth, by motion or action in the Franklin Circuit Court, or other court having jurisdiction, as he may elect, to collect the same by judgment and execution against such Sheriff, Clerk, or other person, and their sureties and their heirs, distributees, devisees and personal representatives, jointly and severally at the next term succeeding such defalcation.

§ 2. The Auditor shall, twenty days before the first day of the term of the court, mail to each of the parties, directed to them at the post-office at the court-house of the county of the Sheriff, Clerk, or other person aforesaid, a notice in writing, stating the amount judgment will be asked for, and the time the court will be held.

§ 3. The Auditor shall file a copy of this notice with the name of each person to whom sent, the time when and the place where sent, with the Clerk of the Court, to be by him filed and kept with the papers in the motion or action.

§ 4. The court, without further or other notice to the parties, shall proceed with the motion or action.

§ 5. The motions or actions aforesaid shall be docketed for trial on the third day of the term. The Auditor shall file with the Clerk of the Court a memorandum, in writing, of the names of the parties, the amount due from each defaulter against whom judgment is demanded, and also a copy of the bond, if any. The Clerk shall docket said motions or actions in the order in which the names stand on said memorandum.

§ 6. Judgments, when given against the defendants in the cases referred to in the two preceding sections, shall be for the principal due, with interest at the rate of ten per cent. per annum from the first day of November preceding and until paid.

§ 7. If any of the defendants shall, upon oath, deny the execution of the bond or instrument, whereby they are sought to be made liable, a jury, if required, shall be impaneled to try the facts. All other facts may be tried by the court. Nothing but a receipt from the Auditor or Treasurer for the payment of the taxes or money claimed shall be admitted on the trial, except orders of court and receipts in pursuance thereof, the record of the Auditor's and Treasury departments, and in case of deposit in bank, under direction of the Auditor, any legal evidence thereof and delinquent lists. No tender of payment, nor any offset shall be pleaded or given in evidence.

§ 8. If any Sheriff or other person bound for the collection of public revenue or other public dues shall obtain indulgence or further day to pay the same into the Treasury by an act of the Legislature, such indulgence or delay shall not discharge the sureties from any liability to which they would be subject, if such delay had not been granted; and in all such cases, if the party indulged shall fail to pay the money by the day fixed in the statute, the Auditor shall, on the third day of the next term, proceed against such defaulter and his surety as though no such indulgence had been given.

§ 9. Judgments in the name of the Commonwealth against Sheriffs and other public collectors, their sureties or the heirs, devisees or personal representatives of any of them, shall bind the estate, legal or equitable, of all the defendants to said judgments from the commencement of the action or motion till satisfied. No execution thereon shall be staid by replevin or sale on credit; but in all such cases the estate taken in execution shall be sold for money, provided the Auditor is allowed, with consent of Attorney General, to indorse the right to replevy on the execution.

§ 10. If any officer shall make a false return on such execution he shall be fined twenty dollars, upon notice and motion, and be subjected to the payment of the whole amount of said execution and costs.

§ 11. Officers and their deputies failing to levy executions in the name of the Commonwealth, or withholding any such executions and not making return thereof for one month after the return day, or failing to pay the money when collected, shall, together with their sureties, be liable by action or motion for the amount of said execution, and twenty per cent. damages thereon.

§ 12. When executions in the name of the Commonwealth have been levied upon estate, but the same remains unsold or the demand unsatisfied, and the time of the officer who levied the execution has expired, a new execution or final process may, at the discretion of the Attorney-General, be issued to the officer, by name, who made the levy. If the execution was levied by a deputy, he shall, in that case as well as all others, give the name of his principal. Every failure so to do shall subject his principal to a penalty of fifty dollars.

§ 13. When the estate of the defendant in execution, upon judgment against defaulting public officers, may be encumbered by a previous *bona fide* mortgage, deed of trust, or other encumbrance, or prior lien, whereby the officer can not legally levy the same, he shall make return of all the facts known to him, or of which he is informed, giving the date and consideration of such deed, to whom made, when recorded, the evidences of any prior lien, and the names of the parties who claim the same; the Attorney-General may institute proceeding against the parties in the county where the property is situated, or where the

encumbrance was created, to have their claims and demands, if just, satisfied, and all encumbrances removed, and the proceeds of the sale of the estate rightfully applied.

§ 14. If any person shall attempt to stop or injure the sale of estate under execution by any fraudulent execution, conveyance, encumbrance, or otherwise, he shall be fined not less than five hundred dollars.

§ 15. If return be made on executions against Sheriffs and their sureties, or other public defaulters, that there was no sale for the want of bidders, the Auditor may direct the estate levied upon to be removed from county to county, for sale, as often as may be necessary; the cost of removal to be paid out of the sale of the estate, as other costs; and the officer who levied the execution shall have power to sell the same in any county to which the estate may be removed. If real estate be levied upon, the place of sale may be changed to another county, and the officer shall have the same power and authority to sell and convey said estate which he had in the county where the levy was made.

§ 16. If, in settlement with the Auditor, a mistake has been committed, by application to the Franklin Circuit Court within two years the same may be corrected. Notice of such application, specifying the error or mistake, shall be served upon the Auditor or upon the public debtor, as the case may be.

§ 17. The Franklin Circuit Court and Circuit Court of the county shall have jurisdictions of all motions and actions in law or equity necessary to be instituted by the Auditor to enable him to collect the public revenue and other demands and penalties due the Commonwealth, or to have satisfaction made of judgments in the name of the Commonwealth.

§ 18. Upon a judgment in the name or for the use of the Commonwealth a *capias pro fine*, or any other final process, may issue from time to time until the judgment is satisfied.

§ 19. The Commonwealth may have *capias pro fines* and executions in the hands of collecting officers in any number of counties at the same time. *Capias pro fine* may be replevied; but such replevy shall not operate to stay an execution, nor shall the defendant be arrested on more than one of the *capias pro fine* for the same liability, and payment of the liability and the cost on one shall discharge all the *capias pro fine* and executions for the liability so paid.

§ 20. Upon the return of "no property found" on an execution, or on a *capias* that the person is not taken, or if taken that the debt is not paid, a proceeding in equity in the name of the Commonwealth may be instituted, and the choses in action or other equitable estate of the defendant collected and subjected to the payment of the amount of the judgment and costs.

ARTICLE XII.

Bonds, Penalties and Blanks.

§ 1. The bond of all officers mentioned in this chapter shall bind them and their sureties to not only the faithful performance of their duties, and the strict accounting of all moneys due by them to the State, but also for the correctness of all amounts claimed and collected by them as commissions or compensation for their services.

§ 2. Wherever any penalty is provided for in this chapter, it may, unless otherwise specifically stated, be enforced either by indictment in the Circuit Court of the county, or indictment in the Franklin Circuit Court, or by action in the county in any court having competent civil common law jurisdiction.

§ 3. When no other penalty is mentioned for a failure to do an act, or the doing of an act forbidden or required by this chapter, the penalty in all such cases shall be not less than fifty nor more than five hundred dollars.

§ 4. The Auditor shall prepare and furnish to the Assessor, for his use and convenience, blanks, which, in all cases shall be used in the performance of his duties, and the same shall be filled up in detail by the person whose list is taken, or, he failing, by the Assessor. Said blanks shall contain two columns for values; one to be headed, "Valuation Fixed by the Tax Payer," and the other, "Valuation Fixed by the Assessor." The value fixed by the tax payer shall not be adopted by the Assessor as his valuation unless he finds and believes it to be the fair cash value. The form of oath which the tax payer is required to take shall be printed at the foot of said blank, and shall in each instance be taken and subscribed by said tax payer or other person required to fill the same. The Auditor of the State shall prepare and prescribe blanks and forms for all reports required in this chapter. The Assessor shall return to the County Clerk, with the Assessor's book, the blanks mentioned in this section, which are to be signed by the tax payer, and the County Clerk shall carefully preserve the same for three years, at the expiration of which time he may destroy the same.

§ 5. Chapter 92, of the General Statutes, the act of March 28, 1872, entitled "An act to amend chapter 83, of the Revised Statutes, title 'Revenue and Taxation,'" the amendment to said act of March 28, 1872, entitled "An act to amend an act, approved March 28, 1872, authorizing Sheriffs to sell real estate to pay revenue tax," approved April 19, 1873, the act approved April 2, 1878, title "An act to amend section 6, article 6, chapter 92, General Statutes, an act to amend article 2, of chapter 92, of the General Statutes, title 'Revenue and Taxation,'" approved May 8, 1884, and all other acts, general and special, and parts of

acts inconsistent herewith, or not in conformity herewith, are hereby repealed, but nothing in this act shall interfere with any existing local option, or any special or prohibition law in any county, nor with any local or general law for creating or collecting county levy, or with chapter 1315, of the Acts of 1879–80.

§ 6. Nothing in this act shall be held to repeal, or in any way impair the force and effect of any local or special act, or any general law now in force, or that may hereafter be passed, providing for the appointment of collectors of State revenue or county levy and poll tax in any county of the State, nor shall any thing herein be construed to repeal or impair the force of any special or local law giving to counties or towns, for road or street purposes, the fines collected for violations of the road and bridge laws of said county.

§ 7. This act shall take effect and be in force from and after its passage.

The hour of 11 o'clock A. M. having arrived, the Speaker of the Senate vacated the chair, and Mr. Clay, the Chairman of the Committee of the Whole, took the chair and presided.

After a time the committee rose, the Speaker of the Senate resumed the chair, and Mr. Clay, the Chairman, reported that the committee had had under consideration a bill, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky,

And after proceeding with the consideration of the same, had risen and directed him to report progress, and ask leave to sit again to-morrow at 11 o'clock A. M.

Which was granted.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Burnett, from the Committee on General Statutes—

A bill to incorporate the West Kentucky Improvement Company.

By Mr. Frederick, from the Committee on Internal Improvements—

A bill to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Lagrange, in Oldham county," approved February 2, 1882.

By Mr. Berry, from the Committee on Education—

A bill to amend an act, entitled "An act for the benefit of

common school district No. 25, in Oldham county," approved April 15, 1882.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Taulbee, from the Committee on Propositions and Grievances—

An act to declare Brusch creek, in Floyd county, a navigable stream.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to repeal an act, entitled "An act to authorize W. O. B. Ratliff and others to erect a boom across Shelby creek, in Pike county."

By same—

An act to amend an act, entitled "An act to incorporate the Winchester Lighting Company," approved April 22, 1882.

By same—

An act to prevent stock from running at large in Magisterial Districts Nos. 5 and 6, in Todd county.

By same—

An act to incorporate the West Kentucky Mining, Manufacturing and Transportation Company.

By Mr. Wilson, from the Committee on General Statutes—

An act to incorporate the Buck Creek Coal Company, in Whitley county.

By same—

An act to amend an act, entitled "An act to recharter the town of London, Laurel county."

By same—

An act changing the boundary line between the counties of Clay and Laurel.

By Mr. Sparks from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to charter the Cabin Creek, Sand Hill and Manchester Turnpike Road Company, of Lewis county."

By same—

An act to incorporate the Sand Hill and Concord Turnpike Road Company, of Lewis county.

Ordered, That said bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Rigney—

1. A bill for the benefit of W. Logan Caldwell, late Sheriff of Boyle county.

On motion of Mr. Byers—

2. A bill to regulate the ferries on the Ohio river at Hawesville.

On motion of Mr. Berry—

3. A bill, entitled "An act to amend section 5, of an act, entitled 'An act to further regulate the retail traffic in spirituous liquors, etc.'"

On motion of Mr. Hays—

4. A bill to repeal an amendment to the Louisville city charter, fixing the salary of the City Wharf Master.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d; the Committee on Religion and Morals the 3d; and the Committee on Courts of Justice the 4th.

On motion of Mr. J. R. W. Smith, the Senate then adjourned.

THURSDAY, APRIL 22, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Methodist Mutual Aid Association.

An act to incorporate the Fourth Avenue Park Turnpike Company, in Jefferson county.

An act for the benefit of C. B. Fox, of Clark county.

An act to incorporate the West Kentucky and Tennessee Railway Company.

An act to authorize the County Court of Carlisle county to issue bonds for the purpose of building and furnishing a courthouse and jail at their county site in said county, and to levy an ad valorem tax to pay the same.

An act to amend an act, entitled "An act to incorporate the Springfield, Mackville and Willisburg Turnpike Road Company," chapter 226, approved March 3, 1856.

An act to amend an act, entitled "An act to provide for a registration of voters in the city of Louisville," approved April 28, 1884.

An act to amend an act, entitled "An act to incorporate the Clarksville and Princeton Railroad Company," approved April 15, 1880.

An act to establish a public school in Morganfield, in Union county.

An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, in the town of Danville, Boyle county, or within two miles of the limits thereof.

An act authorizing the Board of Directors of the Kentucky Bellefonte Iron Company to change the name of said corporation.

An act to incorporate the Uhls Branch and Four-mile Turnpike Road, in Campbell county.

An act for the benefit of the Mayslick and Elizaville Turnpike Road.

An act to authorize the County Court of Daviess county to acquire ground for and to build a new jail and Jailer's residence for said county, and to provide means to pay for same.

An act to amend an act, entitled "An act to incorporate the Deep Creek Bridge and Gravel Switch Turnpike Road Company, in Washington and Marion counties."

An act to renew the charter of the Alexandria and Flagg Spring Turnpike Road Company, in Campbell county.

An act to incorporate the Transit Avenue Turnpike Road Company.

An act to incorporate the Louisville Theatrical Mechanical Association, No. 8.

An act to provide for the improvement and keeping up the public roads and bridges in the fifth magisterial district in Todd county, known as the Trenton district, and to provide means therefor.

An act to incorporate the Louisville and Madison Railway Company.

An act to authorize John Finlayson & Company to keep a boom across the mouth of Beaver creek, in Floyd county, and to provide for boomage, etc.

An act to provide for and regulate the holding of examining courts in this Commonwealth, and fixing the fees of the County Judges, Justices of the Peace, Police Judges and other officers when sitting in examining courts.

An act to amend an act, entitled "An act to incorporate the Adair County Agricultural Association," approved April 28, 1884.

An act to incorporate the Citizens' Gas-light Company, of Maysville.

An act to establish a system of public graded schools in district No. 47, East Point.

An act for the benefit of Lewis county, providing for cross-indexing the records of the Quarterly Court.

An act to amend an act, entitled "An act to prohibit the

sale and restrain the bartering of spirituous, vinous and malt liquors in school district No. 17, now 23, including the town of Clinton, in Hickman county."

An act to amend an act, entitled "An act to provide for the payment of debts contracted in building and furnishing a school-house, and for maintaining a school in district No. 1, in Pendleton county," approved March 28, 1884.

An act for the benefit of the Sardis and Blue Lick Turnpike Company.

An act prohibiting the sale of spirituous, vinous or malt liquors in the Walton precinct, in Boone county.

An act to prohibit the sale of spirituous, vinous and malt liquors in the county of Fleming.

An act to incorporate the Summer Shade Institute, in Metcalfe county.

An act to regulate the sale of lightning-rods in this Commonwealth.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for the relief of the Penitentiary,'" approved May 3, 1880.

An act to incorporate the West End Ferry Company.

An act in relation to working the public highways in the town of Newfoundland, in Elliott county.

An act to amend an act, entitled "An act for the incorporation and regulation of life insurance companies," approved March 12, 1870.

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock, and all other except life insurance companies," approved March 12, 1870.

An act for the benefit of Andrew J. Gibony, Jr., of Casey county.

An act to declare Grassy creek, in Morgan county, a navigable stream.

An act to regulate the voting of stock in Mayslick and Mill Creek Turnpike Road.

Resolution in regard to the death of John Smith Barlow, of Barren county.

That they had passed bills of the following titles, viz:

1. An act to regulate and define the rights and powers of certain street railway companies in Jefferson county, viz: The Beargrass Railway Company, the Central Passenger Railroad Company and the Jefferson Railway Company.

2. An act to incorporate the Kentucky State Detective Agency.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Railroads, and the 2d to the Committee on Finance.

Mr. Boles, from the special joint committee on Geological Survey, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of Carl Schenck,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, instructed and directed to draw his warrant upon the Treasurer of this State in favor of Carl Schenck, for the sum of $407.22, which sum, when paid, is in full of salary and expense account for three months' services on Geological Survey in this State, rendered in the year 1881 by said Schenck, and when paid the same is to be charged up against the unexpended balance now in the Treasury to the credit of the State Geological Survey or Immigration Bureau fund.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	W. H. Frederick,	J. N. Price,
A. S. Berry,	G. G. Gilbert,	F. D. Rigney,
S. H. Boles,	T. S. Grundy,	J. R. W. Smith,
J. W. Bryan,	R. G. Hays,	E. R. Sparks,
R. A. Burnett,	L. M. Martin,	W. H. Taulbee,
W. W. Bush,	J. H. McDanell,	R. S. Triplett,
A. R. Byers,	L. W. McKee,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. W. Ogilvie,	J. H. Wilson—25.
F. M. Clement,		

In the negative—none.

Resolved, That the title thereof be as aforesaid.

A message was received from the House of Representatives, asking leave to withdraw from the Senate a bill which originated in the House of Representatives, entitled

An act to protect the butchers of the city of Louisville.

Which was granted.

On motion of Mr. Clay,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act authorizing the voters of Montgomery county to vote on the proposition as to whether or not spirituous, vinous or malt liquors shall be sold in said county.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Clay moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Martin moved the following resolution, viz:

Resolved, That in considering article 2, of House bill No. 38, entitled "An act to amend the revenue laws," in the Committee of the Whole, any member may speak at any one time not exceeding twenty minutes.

Which resolution was twice read, and adopted.

Mr. Bryan read and laid on the table a joint resolution, entitled

Resolution for the benefit of J. W. Bryan, J. N. Price and F. T. D. Wallace.

And the rule of the Senate requiring said resolution to lie over one day being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the State Treasury in favor of J. W. Bryan, for $3.90, J. N. Price, $4, F. T. D. Wallace, $5, expenses incurred by them while discharging duties imposed upon them as committee from the Senate investigating copying of records in Louisville.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Citizens' Bank of Owensboro.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Martin, from the Committee on the Judiciary, to whom was recommitted a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization," approved May 10, 1884,

Reported the same with an amendment to said bill as a substitute therefor.

Mr. Dixon moved an amendment to the amendment proposed to said bill by the committee.

Ordered, That said bill and proposed amendments be placed in the orders of the day.

Mr. Price, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of James L. Plummer, late Sheriff of Simpson county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third

reading, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Price, from the Committee on Claims, to whom was referred a joint resolution from the House of Representatives, entitled

Joint resolution for the benefit of J. A. Grant, W. T. Flynn and Robert Loomis,

Reported the same with the expression of opinion that said resolution ought not to be concurred in.

And the question being taken on concurring in the adoption of said resolution, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid

Mr. Price, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of the family of George Cassell, deceased, of Fayette county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, George Cassell, of Fayette, was murdered by the notorious outlaws, George Alsop and Theophilus Graves, on the seventeenth day of August, 1884, while he as a member of the Sheriff's posse was attempting their arrest; and whereas, the family of said George Cassell were by his death deprived of their chief means of support and left in straightened circumstances; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasurer of Kentucky for the sum of two thousand dollars ($2,000) in favor of J. W. Rhodes, Sheriff of Fayette county, to be by

him invested and applied for the benefit of the widow and children of said George Cassell, deceased, in such manner as may be directed by the County Judge of Fayette county.

§ 2. Before receiving said money the said J. W. Rhodes shall execute bond for the faithful performance of the trust to be approved by the County Judge of Fayette county, and a copy of said bond shall be filed with the Auditor.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	J. R. W. Smith,
A. S. Berry,	L. M. Martin,	E. R. Sparks,
S. H. Boles,	L. W. McKee,	W. H. Taulbee,
F. M. Clement,	J. N. Price,	E. L. Worthington,
W. M. Cravens,	F. D. Rigney,	R. S. Triplett—16.
R. G. Hays,		

Those who voted in the negative, were—

R. T. Albritton,	Henry Dixon,	J. H. McDanell,
J. W. Bryan,	John Feland,	J. W. Ogilvie,
R. A. Burnett,	W. H. Frederick,	D. H. Smith,
W. W. Bush,	G. G. Gilbert,	F. T. D. Wallace,
A. R. Byers,	T. S. Grundy,	J. H. Wilson—15.

So said bill was rejected.

Mr. Bryan moved to reconsider the vote by which the Senate had rejected said bill.

Which motion was simply entered.

Mr. Feland read and laid on the table a joint resolution, entitled

Resolution providing for the erection of a monument over the remains of General James S. Jackson at Hopkinsville.

Which resolution, under the rule of the Senate, lies over one day.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Triplett, from the Committee on Finance—

A bill to authorize the Daviess County Court to borrow and use its surplus funds collected for railroad, bank and coupon purposes in constructing a new jail.

By Mr. Berry, from the Committee on Education—

A bill to amend an act, entitled "An act to create the Newport Fire and Police District, in Campbell county, and to provide for the government thereof," approved February 27, 1886.

By Mr. Price, from the Committee on Claims—

A bill for the benefit of R. J. Thomasson, of Franklin county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Boles, from the Committee on Codes of Practice—

An act to repeal an act, entitled "An act to amend the charter of the town of Cave City, in Barren county," approved May 8, 1884.

By Mr. Hill, from the Committee on Courts of Justice—

An act to change the time of holding the Court of Claims in Calloway county.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous liquors in the county of Livingston.

By Mr. Taulbee, from the same committee—

An act to amend an act, entitled "An act to further regulate the retail traffic in spirituous, vinous and malt liquors and nostrums used as a beverage," approved May 5, 1880.

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act to authorize Henry C. Wells to erect a mill-dam across Daniel's creek, Johnson county.

By same—

An act to make Big Barren river a lawful fence from Allen county line to Bowling Green.

By Mr. Taulbee, from the Committee on Courts of Justice—

An act to regulate the holding of Criminal Courts in the counties of Magoffin, Johnson, Carter and Boyd.

By Mr. Taulbee, from the Committee on Religion and Morals—

An act to prohibit the sale of intoxicating liquors in Caldwell county, and to vote on same.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Price, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Chaplin and Rockbridge Turnpike Road Company, in Washington county," approved April 19, 1882;

An act to amend the charter of the American Mutual Aid Society;

An act to incorporate the Breckinridge Company, limited, of London, England;

An act to amend an act, entitled "An act to regulate voting at primary elections and prevent fraud therein for the benefit of Harrison, Bourbon, Campbell and Kenton counties," approved April 19, 1880, and apply the provisions thereof to Woodford, Jessamine and Simpson counties;

An act to amend an act, entitled "An act to incorporate the Bardstown and Chaplin Turnpike Road Company;"

An act changing the time of holding the Court of Claims of Mason county;

An act to incorporate the Breckinridge County Running and Trotting Horse Association;

An act to amend section 23 of an act, entitled "An act to reduce into one all the acts concerning the town of Edmonton," approved March 18, 1871;

An act to prohibit the manufacture or sale of spirituous, vinous or malt liquors, or any mixture of either within two miles of Big Meadow Church, in Metcalfe county;

An act to amend an act, entitled "An act to incorporate the Lancaster Cemetery Company," approved December 15, 1863, increasing the powers and duties of the trustees of the company;

An act to amend an act, entitled "An act to amend and reduce into one all the acts in relation to the town of Junction City;"

An act to take the sense of the voters of Simpson county on the question of selling spirituous, vinous or malt liquors;

An act to prohibit the sale of spirituous, vinous or malt liquors or mixtures of same in the Cayce precinct, in Fulton county, and to authorize a vote thereon;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Auburn, in Logan county;"

An act to incorporate the Mt. Zion Turnpike Company, in Franklin county;

An act for the benefit of George W. Miller, County Attorney of Monroe county;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to amend the charter of the city of Maysville;

An act to regulate the sale of spirituous, vinous and malt liquors in Allen county;

An act for the benefit of the administrator of B. F. Pullen, deceased, late Sheriff of Bourbon county;

An act to incorporate the National Railroad Agents' Association;

An act to incorporate the Central Market, of Louisville;

An act to amend an act, entitled "An act to incorporate the Fidelity Trust Company, of Louisville;"

An act to amend an act, entitled "An act to amend and reduce into one the acts incorporating the town of Louisa;"

An act to amend an act to authorize the Pendleton County Court to issue and sell bonds and provide means of redeeming and regulating the manner of executing sale of bonds and disbursement of funds," approved March 31, 1886;

An act to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company;"

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Price reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky,

[*For bill, see Senate Journal, April 21st.*]

The hour of 11 o'clock A. M. having arrived, the Speaker of the Senate vacated the chair, and Mr. Clay, Chairman of the Committee of the Whole, took the chair and presided.

After a time the committee rose, the Speaker of the Senate resumed the chair, and Mr. Clay, the Chairman, reported that the committee had had under consideration a bill, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

And after proceeding with the consideration of the same, had risen and directed him to report progress, and ask leave to sit again to-morrow at 11 o'clock A. M.

Which was granted.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Martin—

1. A bill to amend an act, entitled "An act to establish the county of Robertson," approved February 11, 1867.

On motion of Mr. Frederick—

2. A bill to incorporate the Southern Contract Company.

On motion of Mr. Cravens—

3. A bill to amend section 475, Civil Code of Practice.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Agriculture and Manufactures the 2d, and the Committee on Codes of Practice the 3d.

On motion of Mr. Hays, the Senate then adjourned.

FRIDAY, APRIL 23, 1886.

The reading of the Journal of yesterday was dispensed with.

Mr. Frederick, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to create an inspector of cattle, sheep and hogs offered for sale in the city of Louisville, to be used for food in said city,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Frederick moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the Senate, of the following titles, viz:

An act declaring Brushy Fork of Blaine creek, in Lawrence county, a navigable stream.

An act to amend the charter of the Newport and Dayton Street Railway Company.

An act to amend an act, entitled "An act incorporating the John C. Breckinridge Monument Association," approved February 23, 1876, and an act to aid in the erection of a monument over the grave of John C. Breckinridge, approved March 11, 1878.

An act to amend an act, entitled "An act to create the Newport Fire and Police District, in Campbell county, and to provide for the government thereof," approved February 27, 1886.

An act in relation to the Hartford graded school, known as Hartford College.

An act to amend an act, entitled "An act to amend and reduce into one the several acts incorporating the town of Falmouth, Pendleton county."

An act to incorporate the Great Western Stock Breeders' Association.

An act to incorporate the West Kentucky Improvement Company.

An act to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Lagrange, in Oldham county," approved February 2, 1882.

An act to incorporate the London, Manchester and Whitesburg Telephone and Telegraph Company.

An act to amend an act, entitled "An act to incorporate the Mechanic's Building and Loan Association of Lexington."

An act to establish the Diamond Park Springs Companies.

An act for the government of political primary elections, mass-meetings and conventions held under the provisions thereof, in Kenton county.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Normal and Business College of Central Kentucky.

2. An act to prevent stock from running at large on the turnpike roads in Nicholas county.

3. An act to amend the charter of the city of Louisville.

4. An act to amend the charter of the Homestead Loan and Savings Association, approved May 12, 1884.

5. An act to authorize the County Court of Warren county to subscribe stock in turnpike roads in said county.

6. An act for the benefit of Barriard Markey, of Livingston county.

7. An act to incorporate the Little Mount Cemetery Company, in Spencer county.

8. An act to incorporate the Salt River and Timber Creek Turnpike Road Company.

9. An act to incorporate the Stony Run and Ford Turnpike Road Company.

10. An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts and laws in relation to the town of Williamsburg, in Whitley county," approved February 9, 1884.

11. An act to amend an act, entitled "An act to incorporate the Christian Church of the town of Paducah," approved November 18, 1850.

12. An act for the benefit of common school district No. 18, in Campbell county.

13. An act to prevent stock from running at large in the fourth and fifth magisterial districts in Kenton county.

14. An act to amend the charter of the town of Olive Hill, in Carter county.

15. An act to incorporate the Central City Deposit Bank.

16. An act to amend the charter of the city of Mt. Sterling.

17. An act to incorporate the Grand Lodge of the Independent Order of Knights of Honor, colored, of the United States, at Lexington.

18. An act to amend an act, entitled "An act to authorize the people to vote a tax in aid of turnpike roads, in Henry county, and acts amendatory thereto," approved February 11, 1876, March 9, 1869, March 21, 1870, and March 28, 1872.

19. An act conferring upon the County Court of Lyon county jurisdiction to appropriate money to defray the current expenses of said county, and to levy a poll-tax to pay such appropriations.

20. An act to amend the charter of the city of Covington.

21. An act to incorporate the town of Buffalo, in Larue county.

22. An act to provide for the registration of voters in the city of Paducah.

23. An act to incorporate the Consumers' Gas-light Company of Covington.

24. An act to amend and reduce into one the several acts in relation to roads and bridges, in Henderson county.

25. An act to amend an act, entitled "An act to incorporate the town of Lamasco, in Lyon county," approved April 1, 1882.

26. An act to incorporate the Farmers' and Drovers' Bank of Eminence.

27. An act for the benefit of Mrs. Nancy McCallister, of Henry county.

28. An act authorizing the Carter County Court to levy and collect a poll or capitation tax of not exceeding one dollar on each male person over the age of twenty-one years, and an ad valorem tax of not exceeding ten cents on each one hundred dollars of taxable property in said county each year, to pay the ordinary expenses of said county each year.

29. An act to legalize the signing of certain orders made by the Judge of the Martin County Court.

30. An act to amend an act, entitled "An act to amend the charter of the city of Covington," approved March 11, 1886.

31. An act to regulate the collection of taxes in Whitley county for county purposes.

32. An act for the benefit of C. L. Keown, of Hancock county.

33. An act to charter the Supreme Lodge, Colored Brotherhood of Honor.

34. An act for the benefit of A. C. Mayes, of Caldwell county.

35. An act to amend the charter of the city of Dayton.

36. An act to amend the charter of the Hancock Stock and Fence Law Company.

37. An act to amend an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1876, and all acts amendatory thereto, so far as the same applies to the counties of Warren, Edmonson and Butler.

38. An act to amend an act, entitled "An act to authorize

the Menifee County Court to issue bonds for the purpose of building a jail," approved March 18, 1886.

39. An act to prohibit the sale of spirituous, vinous and malt liquors within two miles of Glenville school-house in district No. 16, McLean county.

40. An act to incorporate the Lexington Opera-house Company.

41. An act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors within two miles of Zion Baptist Church, of Henderson county."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 12th and 34th to the Committee on Education; the 2d, 8th and 13th to the Committee on Agriculture and Manufactures; the 3d and 6th to the Committee on Finance; the 4th, 15th, 16th and 26th to the Committee on Banks and Insurance; the 5th, 18th, 27th, 28th, 29th and 40th to the Committee on Courts of Justice; the 7th, 20th, 23d and 30th to the Committee on the Judiciary; the 9th, 10th, 14th, 21st and 31st to the Committee on General Statutes; the 11th, 22d, 39th and 41st to the Committee on Religion and Morals; the 24th and 32d to the Committee on Propositions and Grievances; the 17th and 33d to the Committee on Charitable Institutions; the 35th and 36th to the Committee on Internal Improvements, and the 37th to the Committee on Fish Culture,

And the 19th, 25th and 38th were ordered to be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Drennon Springs Company, in Henry county," approved April 4, 1884;

An act to incorporate the Bowling Green Petroleum and Fuel Company;

An act to incorporate the Burkesville and Leslie Turnpike Company;

An act for the benefit of the Clerks of the Circuit and County Courts and other officers of this Commonwealth;

An act to declare Brush creek, in Floyd county, a navigable stream;

An act to incorporate the Independence and Bank Lick Turnpike Road Company;

An act to repeal an act, entitled "An act to authorize W. O. B. Ratliff and others to erect a boom across Shelby creek, in Pike county;"

An act changing the boundary line between the counties of Clay and Laurel;

An act to amend an act, entitled "An act to incorporate the Barren River Turnpike Road Company, in Warren county;"

An act to amend an act, entitled "An act to charter the Cabin Creek, Sand Hill and Manchester Turnpike Road Company, of Lewis county;"

An act to charter the Pleasant Spring and Brushy Fork Turnpike Road Company, in Nicholas county;

An act to amend an act, entitled "An act to further regulate the retail traffic in spirituous, vinous and malt liquors and nostrums used as a beverage," approved May 5, 1880;

An act to incorporate the West Kentucky Mining, Manufacturing and Transportation Company;

An act to authorize the trustees of the town of Auburn to issue bonds for street purposes, and to levy a tax to pay the interest and to create a sinking fund for the redemption of said bonds;

An act to amend an act, entitled "An act to incorporate the Winchester Lighting Company," approved April 22, 1882;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to amend an act, entitled "An act to establish a system of public graded schools in the city of Mt. Sterling," approved April 15, 1884;

An act for the benefit of J. M. Baker, of Knott county;

An act to incorporate Capital City Lodge, No. 1,597, G. U. O. O. F;

An act to amend an act, entitled "An act to incorporate the Hopkinsville and Cadiz Railroad Company," approved April 8, 1884;

An act to amend an act, entitled "An act to create the Newport Fire and Police District, in Campbell county, and to provide for the government thereof," approved February 27, 1886;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to incorporate the Pewee Valley and Floyd's Fork Turnpike Road Company.

By Mr. Price, from the Committee on Claims—

An act to incorporate the town of Grange City, in Fleming county.

By Mr. Sparks, from the Committee on Agriculture and Manufactures—

An act to incorporate the Lexington Horse and Cattle Exchange.

By Mr. Rigney, from the Committee on Agriculture and Manufactures—

An act to re-enact and amend section 3, of an act approved March 14, 1872, entitled "An act to amend the charter of Bryantsville," and further amend an act approved February 14, 1871.

By Mr. Triplett, from the Committee on Executive Affairs—

An act to amend an act, entitled "An act to incorporate the Bradford and Lenoxburg Turnpike Road Company, and authorize the levying of a tax to keep said road in repair.

By Mr. Alford, from the Committee on Courts of Justice—

An act to authorize the County Court of Fayette county to issue bonds.

By Mr. Martin, from the Committee on the Judiciary—

An act for the benefit of the East Union and Sharpsburg Turnpike Road Company.

By Mr. Bryan, from the same committee—

An act to further regulate the conduct of elections in the city of Covington.

By same—

An act to amend an act, entitled "An act to provide for appointing and electing commissioners for the county of Kenton, and defining their duties and the duties of other county officers whose duties are connected with the duties of said commissioners."

By Mr. Sparks, from the Committee on Immigration and Labor—

An act to amend the charter of the Georgetown and Dry Ridge Turnpike Company, in Scott county.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to incorporate the Owensboro Banking Company.

By Mr. Wilson, from the Committee on Education—

An act for the benefit of Wm. P. Croley, of Whitley county.

By Mr. Bush, from the Committee on Charitable Institutions—

An act to amend an act, entitled "An act to amend and reduce into one all the acts and laws in relation to the town of Trenton, in Todd county," approved March, 1886.

By same—

An act to establish an additional magisterial district, in Todd county.

By same—

An act to amend an act, entitled "An act to establish a new charter for the town of Elkton, in Todd county," approved April 21, 1884.

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act to re-enact an act, entitled "An act to authorize Martin

Preston and Company to keep a boom across the mouth of Paint creek, in Johnson county."

By Mr. Berry, from the Committee on Education—

An act to consolidate common school districts Nos. 1 and 26, in Carroll county, and to provide for a school building and the better organization of the public schools in said consolidated district.

By Mr. Triplett, from the Committee on Public Expenditures—

An act to amend an act, entitled "An act to incorporate the town of Williamstown, in Grant county, and the several amendments thereto."

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to improve the tax system of Louisville.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Grundy, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Southern Contract Company.

By Mr. Berry, from the Committee on Education—

A bill to authorize the trustees of school district No. 16, in Campbell county, to levy an ad valorem tax for the purpose of paying off the indebtedness on the district school-house therein and to finish up said house.

By Mr. J. R. W. Smith, from the Committee on Public Expenditures—

A bill to incorporate the Kentucky Automatic Fire-escape Company

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

An act to provide additional legal remedies for the collection of the interest on the bonds of Providence District, in Webster county, and for the collection of said bonds when due.

Mr. Clement withdrew the motion heretofore entered by him to lay on the table a motion entered by Mr. Cravens to reconsider the vote by which the Senate had rejected said bill.

The question was then taken on the motion entered by Mr. Cravens, and it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Feland moved an amendment to said bill as a substitute therefor.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to repeal an act, entitled "An act to authorize certain officers to execute process and collect executions in Webster county," approved February 7, 1884.

A message was received from the House of Representatives announcing that they had passed a bill which originated in the Senate, entitled

An act for the benefit of Newton Craig, of Scott county.
With an amendment thereto.

[*For bill, see Senate Journal of April 8th.*]

Said amendment was taken up and concurred in.

Mr. Hill moved to reconsider the vote by which the Senate had concurred in the adoption of said amendment.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	Henry Dixon,	F. D. Rigney,
J. W. Bryan,	W. H. Frederick,	D. H.. Smith,
W. W. Bush,	R. G. Hays,	E. R. Sparks,
A. R. Byers,	J. H. McDanell,	W. H. Taulbee,
F. M. Clement,	J. W. Ogilvie,	F. T. D. Wallace,
W. M. Cravens,	J. N. Price,	J. H. Wilson—18.

Those who voted in the negative, were—

R. A. Burnett,	S. E. Hill,	L. W. McKee,
C. M. Clay, Jr.,	H. T. Kendall,	W. F. Neat,
G. G. Gilbert,	L. M. Martin,	R. S. Triplett—10.
T. S. Grundy,		

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

Mr. Feland moved that the further consideration of said bill be postponed, and said bill made the special order of the day for Tuesday, April 27th, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	John Feland,	F. D. Rigney,
R. A. Burnett,	G. G. Gilbert,	D. H. Smith,
W. W. Bush,	T. S. Grundy,	E. R. Sparks,
F. M. Clement,	J. H. McDanell,	W. H. Taulbee,
W. M. Cravens,	J. W. Ogilvie,	F. T. D. Wallace,
Henry Dixon,	J. N. Price,	J. H. Wilson—18.

Those who voted in the negative, were—

J. W. Bryan,	S. E. Hill,	W. F. Neat,
A. R. Byers,	H. T. Kendall,	J. R. W. Smith,
W. H. Frederick,	L. M. Martin,	R. S. Triplett—10.
R. G. Hays,		

Mr. Sparks, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act authorizing the voters of Scott county to vote, on the last Saturday in September, 1886, on the proposition to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof in Scott county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Sparks moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Taulbee, from the Committee on Internal Improvements, to whom was referred bills from the House of Representatives of the following titles, viz:

An act to repeal an act, entitled "An act to amend the charter of the Paducah and Lovelaceville Turnpike or Gravel Road Company," approved April 3, 1884;

An act to amend the charter of the Paducah and Lovelaceville Turnpike or Gravel Road Company, and to re-establish

certain laws in relation thereto repealed by an act, entitled "An act to amend the charter of the Paducah and Lovelaceville Turnpike or Gravel Road Company;"

Reported the same with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Burnett, from the Committee on General Statutes, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of S. H. Wells, Clerk of the County Court of Todd county;

An act for the benefit of J. A. Clark, late Assessor for Marshall county;

Reported the same without amendment.

On motion of Mr. Burnett,

Ordered, That said bills be recommitted to the Committee on Claims.

Mr. Martin moved that the rules be suspended, and that the Senate take up for consideration a bill, entitled

An act to quiet land titles in this Commonwealth.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Taulbee and Feland, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
J. W. Bryan,	S. E. Hill,	F. D. Rigney,
C. M. Clay, Jr.,	L. M. Martin,	E. R. Sparks,
John Feland,	J. H. McDanell,	R. S. Triplett,
W. H. Frederick,	L. W. McKee,	F. T. D. Wallace—15.

Those who voted in the negative, were—

A. S. Berry,	W. M. Cravens,	J. W. Ogilvie,
R. A. Burnett,	T. S. Grundy,	J. R. W. Smith,
A. R. Byers,	R. G. Hays,	W. H. Taulbee,
F. M. Clement,	W. F. Neat,	J. H. Wilson—12.

The Senate, according to order, took up for consideration a bill, entitled

An act for the benefit of the Kentucky Institution for the Education of Deaf Mutes, at Danville.

[*For bill, see Senate Journal, April 1st.*]

Mr. Price moved to reconsider the vote by which said bill was ordered to a third reading.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	F. D. Rigney,
A. S. Berry,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	R. G. Hays,	J. R. W. Smith,
R. A. Burnett,	S. E. Hill,	E. R. Sparks,
W. W. Bush,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	J. H. McDanell,	R. S. Triplett,
F. M. Clement,	L. W. McKee,	F. T. D. Wallace,
W. M. Cravens,	W. F. Neat,	J. H. Wilson—26.
Henry Dixon,	J. W. Ogilvie,	

Those who voted in the negative, were—

John Feland, J. N. Price—2.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Rigney moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Kendall, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Kentucky Household Gas Supply Company,"

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Bryan objected to the further reading of said bill on this day.

So the same fell into the orders of the day.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Rigney—

1. A bill to amend the charter of the Jellico Mineral and Lumber Company, organized under the fifty-sixth chapter of the General Statutes.

On motion of Mr. J. R. W. Smith—

2. A bill to incorporate the Kentucky Automatic Fire-escape Company.

On motion of Mr. Alford—

3. A bill to amend an act, entitled "An act to incorporate the Cumberland River Railway Company."

On motion of Mr. Berry—

4. A bill to authorize the city of Newport to recover personal judgment for taxes.

On motion of same—

5. A bill to incorporate the Madison Bridge Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Public Expenditures the 2d; the Committee on Railroads the 3d; the Committee on Education the 4th; and the Committee on Internal Improvements the 5th.

The Senate, according to order, took up for consideration a bill, entitled

An act for the benefit of the lunatic asylums of this Commonwealth.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the fiscal year beginning the first day of April, 1886, and for each —— year until otherwise provided by law, the amount allowed to each of the lunatic asy-

lums of this Commonwealth, for the support of its pauper patients, and for its other expenses as provided in the twenty-first section of the act approved March 20, 1876, and entitled "An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State, and the amendments thereto," shall be at the rate of one hundred and fifty dollars per annum for each pauper patient so supported in said asylums.

§ 2. There is hereby appropriated to the Eastern Kentucky Lunatic Asylum the sum of thirty-four thousand dollars, to be expended as follows: *a.* To pay the debts contracted in putting up the new building begun by F. M. Curl, and to finish same, $24,000; *b.* To repair the old boiler house and laundry for the reception of patients, $2,500; *c.* To pay a debt due the Northern Bank of Kentucky, $7,500.

§ 3. There is hereby appropriated to the Central Kentucky Lunatic Asylum the sum of fifty-two thousand dollars, to be expended as follows: *a.* To complete the new building begun by F. M. Curl, $12,000; *b.* To build a new house for colored patients, $40,000.

§ 4. The Superintendents and Boards of Managers of the two asylums, are respectively appointed special commissioners to superintend and control the erection and completion and repair of the buildings mentioned in the two last sections. Before commencing the work, they will have plans and specifications thereof made by a competent architect, and will let the work of each building as a whole to the lowest bidder, after reasonable notice has been given, and taking from the contractors such bond as may be deemed sufficient to insure compliance with the contract.

§ 5. They will pay for the work not exceeding eighty per cent. thereof as it progresses, and the remainder when the work contracted for is completed. Upon their written application, the Auditor will draw his warrant in their favor upon the Treasurer for the aforesaid appropriations, or such portions of them as they may be needed and when they may be needed to carry out the purposes of this act; but no portion thereof shall be drawn from the Treasury unless and until it is needed to pay for work actually done, nor shall said commissioners contract for the expenditure of any greater sum than is herein allowed in making said improvements and repairs, nor shall they begin any contract or building which can not be completed for said sums.

§ 6. Said commissioners will keep and preserve an accurate account of all their expenditures under the provisions of this act, and will report the same, with proper vouchers therefor, to the Auditor of Public Accounts.

§ 7. This act shall take effect from and after its passage.

Mr. Bush moved to amend said bill as follows, viz:

Amend by striking out "$40,000" and inserting "$30,000."

And the question being taken thereon, it was decided in the affirmative.

Mr. Bush moved to amend said bill further as follows, viz:

Amend by striking out the first two lines of section 4, and inserting as follows, viz: "The moneys herein appropriated shall be placed in the hands of three commissioners appointed by the Governor by and with the advice and consent of the Senate, one of whom shall reside in each Superior Court district, and said commissioners shall supervise said improvements and let the contracts therefor according to the provisions of this act; that they shall give good and sufficient bond with ample surety, and take the usual oath of office before entering upon the performance of their duty, and all parts of this act inconsistent herewith are stricken out. Said commissioners shall receive no compensation except their reasonable expenses."

Mr. J. R. W. Smith moved to amend said bill as follows, viz:

Amend section 2 by adding thereto the following words, viz: "The debts heretofore contracted in the erection of said building to be first paid."

Mr. Bush moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Bush to said bill, and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. J. R. W. Smith to said bill, and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,
W. W. Bush,
C. M. Clay, Jr.,
F. M. Clement,
W. M. Cravens,
Henry Dixon,
John Feland,
W. H. Frederick,
G. G. Gilbert,
T. S. Grundy,
S. E. Hill,
L. M. Martin.
J. H. McDanell,
L. W. McKee,
W. F. Neat,
J. W. Ogilvie,
F. D. Rigney,
J. R. W. Smith,
E. R. Sparks,
W. H. Taulbee,
R. S. Triplett,
F. T. D. Wallace—22.

Those who voted in the negative, were—

J. W. Bryan,
R. A. Burnett,
A. R. Byers,
R. G. Hays,
H. T. Kendall,
J. N. Price,
D. H. Smith,
J. H. Wilson—8.

Resolved, That the title of said bill be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Bush moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Hays, the Senate then adjourned.

SATURDAY, APRIL 24, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed sundry enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to take the sense of the voters of Simpson county on the question of selling spirituous, vinous or malt liquors.

An act to prohibit the sale of spirituous, vinous or malt liquors or mixtures of same in the Cayce precinct, in Fulton county, and to authorize a vote thereon.

An act to prohibit the sale of spirituous, vinous and malt liquors in certain precincts in Pulaski county, and to provide for a vote thereon.

An act to prohibit the sale of liquors within one mile of the church in the town of Clayville, in Webster county.

An act to prohibit the sale of any spirituous, vinous or malt liquors, or mixtures thereof, within school district No. 9, in Garrard county.

An act to prohibit the sale of intoxicating liquors at or within one mile of the Leestown Presbyterian Church, in Franklin county.

An act authorizing the voters of Grant county to vote, September 20, 1886, on the proposition as to whether or not spirituous, vinous or malt liquors, or any mixture thereof, may be sold in Grant county as a beverage.

An act to incorporate the Louisville Real Estate and Trust Association.

An act to declare Pricy creek, in Magoffin county, a navigable stream.

An act for the benefit of Harrison Eaton, of Barren county, and to change the line between the counties of Barren and Metcalfe.

An act to amend the charter of the Russellville District Turnpike Company, and reduce into one the several acts relating thereto.

An act to authorize and empower W. W. Robertson, late Judge of the Marshall Circuit Court, to sign certain orders made by him as such Judge.

An act for the benefit of J. K. Reynolds, of Graves county.

An act to incorporate the Corinth and Gaines' Fork Turnpike Company.

An act to empower the Boyle County Court to subscribe stock to a turnpike road leading from Mitchellsburg to Rolling Fork.

An act to incorporate the Mt. Zion Turnpike Company, in Franklin county.

An act to establish an additional voting precinct on the North Rolling Fork, at Minor's Store, in Boyle county.

An act declaring the Panther Fork of Wolf creek a navigable stream.

An act to incorporate the Sacramento and Central City Railway Company.

An act for the benefit of W. J. Webb, of Graves county.

An act to amend an act, entitled "An act to incorporate the Louisville School of Pharmacy for Women," approved March 8, 1884.

An act for the benefit of the Hayden's Corner and Forest Grove Turnpike Company.

An act to extend the corporate limits of the town of Independence, in Kenton county.

An act to incorporate the Goggin's Ferry Turnpike Road Company.

An act to create the office of County Treasurer, of Pulaski county, and prescribe the duties of same.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Eminence, in Henry county."

An act to incorporate the Case Crowder and Baker Turnpike Road Company.

An act to incorporate the Junction City and Danville Turnpike Road Company, in Boyle and Lincoln counties.

An act to incorporate the Covington Street Sprinkling Company.

An act for the benefit of F. M. Spurrier, lately a Deputy Sheriff of Grayson county.

An act to amend an act, entitled "An act to incorporate the Lancaster Cemetery Company," approved December 15, 1863, increasing the powers and duties of the trustees of the company.

An act to amend and reduce into one the act incorporating the Hardinsburg and Cloverport Turnpike Road Company, and the several acts amendatory thereof.

An act for the benefit of George M. Miller, County Attorney of Monroe county.

An act to amend the charter and change the name of the Dorseyville Turnpike Road.

An act to amend and reduce into one the several acts concerning the town of Stephensport, in Breckinridge county.

An act to amend an act, entitled "An act creating a new charter for the city of Owensboro," approved March 18, 1882.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873.

An act in relation to the State road in Crittenden county.

An act to incorporate the Mackville and Bethel Turnpike Road Company, in Washington county.

An act for the benefit of the New Liberty and Dallasburg Turnpike Road Company.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Auburn, in Logan county."

An act to incorporate the Breckinridge Company, limited, of London, England.

An act to amend an act, entitled "An act to regulate voting at primary elections and prevent fraud therein, for the benefit of Harrison, Bourbon, Campbell and Kenton counties," approved April 19, 1880, and apply the provisions thereof to Woodford, Jessamine and Simpson counties.

An act to amend an act, entitled "An act to incorporate the Chaplin and Rockbridge Turnpike Road Company, in Washington county," approved April 19, 1882.

An act to amend an act, entitled "An act to incorporate the Bardstown and Chaplin Turnpike Road Company."

An act changing the time of holding the Court of Claims of Mason county.

An act to incorporate the Breckinridge County Running and Trotting Horse Association.

An act to amend section 23 of an act, entitled "An act to reduce into one all the acts concerning the town of Edmonton," approved March 18, 1871.

An act to amend an act, entitled "An act to amend and reduce into one all the acts in relation to the town of Junction City."

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to amend an act, entitled 'An act establishing a new charter for the city of Louisville,'" approved March 3, 1870, approved January 26, 1886.

An act to establish the Nineteenth Circuit Court District, composed of the counties of Estill, Powell, Lee, Clay, Perry, Letcher, Knott and Breathitt.

With an amendment to the last-named bill.

That they had passed a bill, entitled

An act to amend section 1, article 1, chapter 55, of the General Statutes, entitled "Inclosures and Trespasses."

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was referred to the Committee on General Statutes.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Louisville.

An act to repeal an act, entitled "An act to declare and amend the law relative to principals and factors or agents."

An act to amend an act, entitled "An act to amend and reduce into one the acts incorporating the town of Louisa."

An act to regulate the sale of spirituous, vinous and malt liquors in Allen county.

An act to amend the charter of the city of Maysville.

An act repealing section 9, article 4, of an act to amend and reform the common school laws of this Commonwealth, approved May 12, 1884.

An act relating to the business of pawnbrokers in certain cities of the State of Kentucky.

An act for the benefit of Cowan Station and Licking Valley Turnpike Road.

An act to prohibit the sale or gift of vinous, spirituous or malt liquors within two miles of Green Briar Baptist Church,

in Daviess county, or within two miles of New Bethel Methodist Church, in Ohio county.

An act to amend the charter of the town of Montgomery, in Trigg county.

An act to amend an act to incorporate the Economic Heating Company.

An act to amend the charter of the New National Turnpike Company, composed of the Jefferson and Bullitt and National Turnpike Company consolidated. Said act approved — day of ——, 1880.

An act to incorporate the Caney Fork Baptist Church, in Owen county.

An act to extend the limits and change the boundary of the city of Cynthiana.

An act to amend an act to authorize Lawrence county court to issue bonds.

An act to incorporate the Salem Baptist Church.

An act for the benefit of the administrator of B. F. Pullen, deceased, late Sheriff of Bourbon county.

An act to amend an act, entitled "An act to incorporate the Fidelity Trust Company, of Louisville."

An act to incorporate the Central Market, of Louisville.

An act to amend an act to authorize the Pendleton County Court to issue and sell bonds and providing means of redeeming and regulating the manner of executing sale of bonds and disbursement of funds, approved March 31, 1886.

An act to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company."

An act relating to the clerks of the general council of the city of Louisville.

An act to amend an act, entitled "An act to create the Newport Fire and Police District, in Campbell county, and to provide for the government thereof," approved February 27, 1886.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, April 24, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

Bryan S. Miller, Adair and Russell counties.
M. C. Taylor, Jefferson county.
Oliver Lucas, Jefferson county.
P. S. Campbell, Jefferson county.
J. E. Bassett, Fayette county.
E. D. Warfield, Fayette county.
G. R. Harms, Campbell county.
W. J. Samuels, Nelson county.
J. N. Courtney, Daviess county.
C. E. Hamilton, Kenton county.
J. C. Gill, Laurel county.
W. H. Hollinsworth, Bell county.
H. C. Watkins, Daviess county.
Jno. B. Chenault, Madison county.
James E. Stone, Breckinridge county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Hill, from the Committee on Courts of Justice—

A bill to prohibit the sale of vinous, spirituous and malt liquors in Ohio county.

By same—

A bill to amend the charter of the town of Fordsville, in Ohio county.

By Mr. Frederick, from the Committee on Internal Improvements—

A bill to regulate tolls upon turnpikes in Henry county.

By Mr. Berry, from the Committee on Education—

A bill to amend an act to incorporate Maple Hill Female College, in Grant county, approved March 13, 1886.

By same—

A bill to amend an act, entitled "An act empowering St. Paul's Protestant Episcopal Church of Newport, Kentucky, to bond its debt," approved March 23, 1886.

By same—

A bill to authorize the city of Newport to recover personal judgment for taxes.

By Mr. Martin, from the Committee on the Judiciary—

A bill to amend the charter of the Jellico Mineral and Lumber Company, organized under the fifty-sixth chapter of the General Statutes.

By same—

A bill prescribing the manner in which certain lands belonging to the border counties in the State of Kentucky, south of Walker's line, and north of latitude thirty-six degrees, thirty minutes, in the State of Tennessee, shall hereafter be entered, surveyed and carried into grant.

By Mr. Taulbee, from the Committee on Propositions and Grievances—

A bill to regulate the ferries on the Ohio river, at Hawesville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Feland moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act conferring upon the County Court of Lyon county jurisdiction to appropriate money to defray the current expenses of said county, and to levy a poll-tax to pay such appropriations.

On motion of Mr. J. R. W. Smith,

Ordered, That the Clerk withdraw from the House of Repre-

sentatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to prohibit the sale of intoxicating liquors in Caldwell county, and to vote on same.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had adopted an amendment to said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

Mr. J. R. W. Smith moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Wallace, leave of absence, indefinitely, was granted Messrs. Burnett and Clement.

Mr. Feland, from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill, entitled

A bill to amend the law in relation to the lunatic asylums of this Commonwealth,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order

of the day for Wednesday, April 28th, at 10:30 o'clock A. M., and from day to day until disposed of.

Mr. Rigney, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to prevent cattle from running at large in the county of Harrison,

Reported the same with an amendment as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to prevent cattle from running at large in Harrison county for twelve months.

Mr. Price, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of J. I. Denton, of Grayson county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Hill moved to reconsider the vote by which the Senate had disagreed to said bill.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, I. J. Denton, of Grayson county, on April 28, 1884, paid to the Commonwealth of Kentucky, through the Grayson County Court, the State tax of $100 for a license to keep a tavern at Big Clifty, in said county, with the privilege annexed thereto of selling spirituous, vinous and malt liquors for one year from said date; and whereas, on November 12, 1884, his hotel and contents were unavoidably destroyed by fire, and he was thereby deprived of the benefit of said license for the period of five months and sixteen days; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer in favor of said I. J. Denton for the sum of $46.12, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Feland and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	John Feland,	W. F. Neat,
A. S. Berry,	W. H. Frederick,	J. W. Ogilvie,
A. R. Byers,	S. E. Hill,	J. R. W. Smith—11.
W. M. Cravens,	H. T. Kendall,	

Those who voted in the negative, were—

L. M. Martin,	W. H. Taulbee,	E. L. Worthington,
J. N. Price,	R. S. Triplett,	F. T. D. Wallace—6.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Scoville and Lawrenceburg Turnpike Road Company, in Washington and Anderson counties,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hill moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Taulbee, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Mary E. Evans, of Ballard county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of James L. Plummer, late Sheriff of Simpson county;

An act to repeal an act, entitled "An act to amend the charter of the town of Cave City, in Barren county," approved May 8, 1884;

An act to prevent stock from running at large in Magisterial Districts Nos. 5 and 6, in Todd county;

An act to authorize Henry C. Wells to erect a mill-dam across Daniel's creek, Johnson county;

An act to incorporate the Owensboro Gas-light Company;

An act to amend an act, entitled "An act to recharter the town of London, Laurel county;"

An act to prohibit the sale of spirituous liquors in the county of Livingston;

An act to make Big Barren river a lawful fence from Allen county line to Bowling Green;

An act to incorporate the Sand Hill and Concord Turnpike Road Company, of Lewis county;

An act to change the time of holding the Court of Claims in Calloway county;

And enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Newton Craig, of Scott county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, Pike county;"

An act to amend the charter of the city of Covington;

An act to incorporate the London, Manchester and Whitesburg Telephone and Telegraph Company;

An act to amend the charter of the Newport and Dayton Street Railway Company;

An act to amend an act, entitled "An act to amend and reduce into one the several acts incorporating the town of Falmouth, Pendleton county;"

An act to incorporate the Hopkinsville Branch Railroad Company;

An act concerning license taxes in the city of Louisville;

An act in relation to the Hartford graded school, known as Hartford College;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

On motion of Mr. Kendall,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate, of a bill which originated in the Senate, entitled

An act to incorporate the Jefferson Natural Gas Company.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Kendall moved to reconsider the vote by which the Senate had passed said bill,

Which motion was simply entered.

On motion of Mr. Kendall,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the concurrence by the Senate in an amendment adopted by the House of Representatives to a bill which originated in the Senate, with an amendment thereto, of the following title, viz:

An act incorporating the Louisville Natural Gas and Heating Company.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Kendall moved to reconsider the vote by which the Senate had concurred in the amendment adopted by the House of Representatives to said bill with an amendment thereto.

Which motion was simply entered.

The Senate took up for consideration a bill, entitled

An act to amend an act, entitled "An act to incorporate the Kentucky Household Gas Supply Company."

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Taulbee, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act in relation to prohibiting the sale of spirituous, vinous and malt liquors in Union and McLean counties,

Reported the same without amendment.

Mr. Triplett moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dipensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act in relation to prohibiting the sale of spirituous, vinous and malt liquors in Union county.

Mr. Frederick, from the Committee on Internal Improvements, to whom was referred a bill from the House of Representatives, entitled

An act to repeal and amend an act for the benefit of the New Castle and Bethlehem and New Castle and Gray Turnpike Companies, approved April 3, 1884, in Henry county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Frederick, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act directing the Sheriff of Trimble county to take the sense of the qualified voters of said county on and providing for the repeal of an act, entitled "An act to authorize the Trimble County Court to take stock in turnpike roads in said county," approved February 11, 1882,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Taulbee, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Ed. Mitchell, of Allen county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Taulbee, from the Committee on Religion and Morals, to whom was recommitted a bill from the House of Representatives, entitled

An act to prohibit the sale of spirituous, vinous and malt liquors, in the county of Muhlenberg,

Reported the same without amendment.

Mr. Triplett moved an amendment to said bill.

Ordered, That said bill and proposed amendment be placed in the orders of the day.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to incorporate the Kentucky Electric Company.

By Mr. Neat, from the same committee—

An act to amend the charter of the town of Clinton, in Hickman county.

By Mr. Taulbee, from the Committee on Claims—

An act for the benefit of the sureties of Wilson Barnett, late Sheriff of Menifee county.

By same—

An act for the benefit of G. F. Byrd, late Sheriff of Wolfe county, and his sureties.

By Mr. Hill, from the Committee on Courts of Justice—

An act to legalize the signing of certain orders made by the Judge of the Martin County Court.

By same—

An act to extend the Court of Common Pleas in the First Judicial District to the county of Carlisle, and fixing the times for holding the same

By same—

An act to change the times of holding the Circuit Courts and Courts of Common Pleas in the county of Ballard, in the First Judicial District.

By same—

An act concerning the Quarterly Court of Warren county.

By Mr. Taulbee, from the same committee—

An act to authorize the Clerk of the Russell County Court to appoint his wife deputy Clerk.

By same—

An act to amend the charter of the town of Central City, in Muhlenberg county.

By same—

An act to abolish district No. 12, in Harlan county.

By same—

An act to authorize the Circuit Court Clerks of Magoffin and Morgan counties to make cross-index to the judgment books of said counties.

By Mr. Byers, from the Committee on Internal Improvements—

An act to amend the charter of the Hancock Stock and Fence Law Company.

By same—

An act to protect the health of citizens on the lines of railroads, in Grayson county.

By Mr. Frederick, from the same committee—

An act to amend an act, entitled "An act to incorporate the Great Western Lumber Mining and Manufacturing Company," approved April 24, 1882, and all acts amendatory thereto.

By same—

An act to amend an act incorporating the Paint Lick, Walnut Meadow and Big Hill Turnpike Road, in Madison county.

By same—

An act to amend the charter of the city of Dayton.

By Mr. Berry, from the Committee on Education—

An act to incorporate the Standard Normal University.

By same—

An act for the benefit of common school district No. 18, in Campbell county.

By same—

An act to change school district No. 25, in Hopkins county.

By same—

An act for the benefit of common schools of Floyd county, and to authorize the superintendent and board of examiners of common schools of said county to issue special license to persons to teach colored common schools of said county.

By Mr. Wallace, from the Committee on General Statutes—

An act to amend the charter of the town of Olive Hill, in Carter county.

By Mr. Martin, from the Committee on the Judiciary—

An act to incorporate the Louisville Detective Agency.

By same—

An act to authorize peace officers to take bond in criminal and penal cases.

By Mr. Worthington, from the Committee on Railroads—

An act to amend an act, entitled "An act to authorize the county of Mason to subscribe to the capital stock of railroad companies," approved March 29, 1886.

By Mr. Frederick, from the Committee on Propositions and Grievances—

An act to amend the charter of the town of Elizabethtown, in this Commonwealth.

By same—

An act to change the line between Blue Ball and Pincheon precincts, in Clark county.

By same—

An act in relation to the moving of traction and portable engines over and along the roads and passways of Union county.

By Mr. Taulbee, from the same committee—

An act for the benefit of R. F. Howard, of Magoffin county.

By same—

An act declaring Burning Spring Fork, in Magoffin county, a navigable stream.

By same—

An act for the benefit of William Henderson, Thomas F. Terrell, Jr., and Thomas S. Heady, of Ballard county.

By same—

An act to declare the Clear Fork, of Cumberland river, a lawful fence from mouth of Elk creek to State line, in Whitley county.

By same—

An act to authorize Timothy Rowe to erect a mill-dam across the Little Sandy river, in Elliott county.

By Mr. Frederick, from the Committee on Internal Improvements—

An act to legalize the action of the funding board of precinct No. 3, Livermore, McLean county.

By Mr. Hill, from the Committee on Banks and Insurance—

An act to incorporate the Central Kentucky Building and Loan Association.

By same—

An act to amend the charter of the Homestead Building Association.

By same—

An act to incorporate the Owensboro Mutual Fire Insurance Company.

By same—

An act to amend the charter of the Lexington Savings Association.

By same—

An act to incorporate the Exchange Bank of Greenup.

By same—

An act to amend the charter of the Logan County Bank.

By same—

An act to legalize the payment of the officers and agents and general expenses of the Householder's Mutual Benefit Association of Kentucky.

By Mr. Byers, from the Committee on Public Health—

An act to regulate the location and maintenance of pest-houses for the treatment of eruptive or infectious or contagious diseases.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to amend an act, entitled "An act to incorporate the Christian Church of the town of Paducah," approved November 18, 1850.

By same—

An act to prohibit the sale of spirituous, vinous and malt liquors within one and one-half miles of Zion Church, on the Hartford road, in Daviess county.

By same—

An act to prohibit the sale of spirituous, vinous and malt liquors within two miles of Glenville school-house in district No. 16, McLean county.

By same—

An act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors within two miles of Zion Baptist Church, of Henderson county."

By same—

An act to provide for the registration in the city of Paducah.

By Mr. Taulbee, from the same committee—

An act to amend an act, entitled "An act to prevent the sale of spirituous, vinous or malt liquors, or any mixture thereof, within one and a half miles of Hinton Station, in Scott county," approved April 6, 1880.

By Mr. Frederick, from the Committee on Internal Improvements—

An act in regard to certain roads in Carroll county, and to provide for working the same.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Price—

1. A bill for the benefit of school district No. 67, in Fleming county.

On motion of Mr. Cravens—

2. A bill, entitled "An act to regulate tolls upon turnpikes in Henry county, Ky."

On motion of Mr. Berry—

3. A bill, entitled "An act to authorize the city of Newport to recover personal judgments for taxes."

On motion of same—

4. A bill, entitled "An act to amend an act, entitled 'An act empowering St. Paul's Protestant Episcopal Church, of Newport, Kentucky, to bond its debt,'" approved March 23, 1886.

Ordered, That the Committee on Education prepare and bring in the 1st, 3d and 4th, and the Committee on Internal Improvements the 2d.

On motion of Mr. Taulbee, the Senate then adjourned until Monday at 11 o'clock A. M.

MONDAY, APRIL 26, 1886.

The reading of the Journal of Saturday was dispensed with.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Martin—

1. A bill to amend the charter of the town of Berry.

On motion of Mr. Taulbee—

2. A bill to take the county of Magoffin from the Sixteenth Judicial District and to attach it to the Thirteenth Judicial District, and to provide for the holding the courts therein.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, and the Committee on Propositions and Grievances the 2d.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, entitled

An act to incorporate the Kentucky Water-works Construction Company.

An act to amend an act, entitled "An act to establish the Nicholas Chancery Court."

An act to amend an act, entitled "An act to incorporate the town of Williamstown, in Grant county," and the several amendments thereto.

That they had passed bills which originated in the Senate of the following titles, viz:

An act for the benefit of D. E. Phillips, of Jefferson county.

An act to incorporate the Southern Contract Company.

An act for the benefit of Thomas H. May, of Magoffin county.

An act authorizing the city of Newport to issue bonds for refunding bonds issued under an act authorizing the city of Newport to issue bonds for certain purposes, approved February 12, 1880.

An act to amend an act, entitled "An act to amend an act incorporating the town of Munfordville, in Hart county," approved May 12, 1884.

An act authorizing the Board of Councilmen of Newport, Kentucky, when sitting as a court, to compel the attendance of witnesses and the giving in of testimony.

An act to incorporate the Exchange Insurance Company, of Covington, Kentucky.

With an amendment to the last-named bill.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to recharter the town of Mt. Vernon."

2. An act to authorize Isaiah Short and Samuel H. Burton to erect a mill-dam across Brushy Fork of Blaine.

3. An act to amend an act incorporating the town of Lockport, in Henry county, and defining the jurisdiction of the Police Court of said town.

4. An act to incorporate the Kentucky Fruit and Wine Company.

5. An act to incorporate the Bond's Mill and Lillard's Ferry Turnpike Road Company, in Anderson county.

6. An act to amend the charter of the city of Hawesville in relation to schools.

7. An act to amend chapter 630, of the acts of the present session of the General Assembly.

8. An act to amend an act, entitled "An act to prevent trespass in the county of Woodford," approved April 17, 1884.

9. An act to authorize the sale of the Bethlehem Turnpike Road, in Henry county.

10. An act to incorporate the Mt. Vernon Meeting-house and Harrisonville Turnpike Road Company, in Shelby county.

11. An act to incorporate the Manchester, Crooked Creek and Cavedale Turnpike Road Company, of Lewis county.

12. An act to incorporate the Boston and Antioch Turnpike Company.

13. An act to incorporate the Simpsonville and Long Run Turnpike Company.

14. An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in the county of Henry," approved April 13, 1886.

15. An act to incorporate the Crooked Creek Turnpike Road Company, in Anderson county.

16. An act to allow T. B. McCollum, of Livingston county, to practice medicine without first having a diploma or certificate as required by the laws of this Commonwealth.

17. An act to enable the County Court of Mason county to provide for turnpikes in Mason county.

18. An act releasing Kelly Hogg, of Letcher county, of the interest in six bonds executed by him to D. Howard Smith for the use of the Commonwealth of Kentucky on the fifth day of May, 1879.

19. An act for the benefit of Yeoder J. Jewell, of Fayette county.

20. An act to amend an act, entitled "An act to incorporate the town of Bardwell, in Ballard county," approved March 10, 1882.

21. An act authorizing the city of Louisville to raise the funds necessary to enable her to purchase the gas-works belonging to the Louisville Gas Company at the termination of the present charter of said company as provided for in the nineteenth section of an act, approved January 30, 1867, entitled "An act to extend the charter of the Louisville Gas Company, and also to empower the city of Louisville to reorganize and operate said gas company when she becomes owner of same."

22. An act to prevent the drifting and floating of saw-logs down the Licking river below Salyersville.

23. An act fixing and defining the fees of the Jailer of Simpson county in cases of misdemeanor.

24. An act to incorporate the Funeral Director's Association, of the Falls City.

25. An act to amend and reduce into one the several acts in relation to the town of Birmingham, in Marshall county.

26. An act to incorporate the Victor Emanuel Club, of Louisville.

27. An act to incorporate the Grainers' and Painters' Company, of Louisville.

28. An act to allow the County Court of Carlisle county to appoint commissioners to lay off said county into magisterial districts.

29. An act to empower the County Courts of Ballard and Carlisle counties to levy an ad valorem tax to repair and build

bridges in said counties, and to elect or appoint bridge commissioners.

30. An act for the benefit of the owner or lessee of the Ferry at Ashland, Ky., and providing penalties for a violation of the provisions of same.

31. An act to create an additional Justices' district in Perry county, and change and fix the voting place in the third magisterial district, in said county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 20th to the Committee on Internal Improvements; the 3d, 9th, 21st, 22d, 28th, 29th and 31st to the Committee on Courts of Justice; the 4th, 12th and 13th to the Committee on Agriculture and Manufactures; the 5th and 15th to the Committee on Military Affairs; the 6th, 26th and 27th to the Committee on Finance; the 7th to the Committee on General Statutes; the 8th to the Committee on Immigration and Labor; the 10th, 17th and 23d to the Committee on the Judiciary; the 14th and 24th to the Committee on Religion and Morals; the 16th to the Committee on Public Health; and the 18th to the Committee on Claims.

And the 2d, 11th, 19th, 25th and 30th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Paint Creek Narrow Gauge Railroad Company,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to regulate the holding of Criminal Courts in the counties of Magoffin, Johnson, Carter, Boyd and Martin;

An act to amend an act, entitled "An act to provide for appointing and electing commissioners for the county of Kenton, and defining their duties and the duties of other county officers whose duties are connected with the duties of said commissioners;"

An act for the benefit of the town of Carrollton, and to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Carrollton," approved February 25, 1884;

An act for the benefit of the Kentucky Institution for the Education of Deaf Mutes, at Danville;

An act to amend an act, entitled "An act to incorporate the town of Lamasco, in Lyon county," approved April 1, 1882;

An act to re-enact an act, entitled "An act to authorize Martin Preston & Company to keep a boom across the mouth of Paint creek, in Johnson county;"

An act for the benefit of Wm. P. Croley, of Whitley county;

An act to establish an additional magisterial district, in Todd county;

An act to amend an act, entitled "An act to establish the Nicholas Chancery Court;"

An act to incorporate the Pewee Valley and Floyd's Fork Turnpike Road Company;

An act to amend an act, entitled "An act to establish a new charter for the town of Elkton, in Todd county," approved April 21, 1884;

An act for the benefit of the East Union and Sharpsburg Turnpike Road Company;

An act to amend the charter of the Georgetown and Dry Ridge Turnpike Company, in Scott county;

An act to re-enact and amend section 3, of an act approved

March 14, 1872, entitled "An act to amend the charter of Bryantsville," and further amend an act approved February 14, 1871;

An act to amend the act, entitled "An act to incorporate the town of Williamstown, in Grant county," and the several amendments thereto;

An act to amend an act, entitled "An act to authorize Menifee County Court to issue bonds for the purpose of building a jail," approved March 18, 1886;

Joint resolution for the benefit of J. A. Grant, W. T. Flynn and Robert Loomis;

And enrolled bills which originated in the Senate of the following titles, viz:

An act declaring Brushy Fork of Blaine creek, in Lawrence county, a navigable stream;

An act to amend an act, entitled "An act to amend an act, entitled 'An act establishing a new charter for the city of Louisville,'" approved March 3, 1870, approved January 26, 1882;

An act for the benefit of D. E. Phillips, of Jefferson county;

An act to incorporate the Citizens' Bank of Owensboro;

An act to amend an act, entitled "An act incorporating the John C. Breckinridge Monument Association," approved February 23, 1876, and an act to aid in the erection of a monument over the grave of John C. Breckinridge, approved March 11, 1878;

An act to incorporate the Great Western Stock Breeders' Association;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to establish the Nineteenth Circuit Court Judicial Dis-

trict, composed of the counties of Estill, Powell, Lee, Clay, Perry, Letcher, Knott and Breathitt.

[*For bill, see Senate Journal, March 16th.*]

Said amendment reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Nineteenth Circuit Court Judicial District be, and the same is hereby established, to be composed of the counties of Estill, Powell, Lee, Clay, Perry, Letcher, Knott, Breathitt and Wolfe.

§ 2. That a term of the Circuit Court shall be held at the court-house in each of said counties, commencing at the time herein specified, and containing the number of days allotted to each if the business requires it:

In the county of Estill on the first Mondays in September and March, and continue twelve juridical days each.

In the county of Powell on the third Mondays in September and March, and continue six juridical days each.

In the county of Lee on the fourth Mondays in September and March, and continue twelve juridical days each.

In the county of Clay on the second Mondays in October and April, and continue eighteen juridical days each.

In the county of Perry on the first Mondays in November and May, and continue twelve juridical days each.

In the county of Letcher on the third Mondays in November and May, and continue twelve juridical days each.

In the county of Knott on the first Mondays in December and June, and continue twelve juridical days each.

In the county of Breathitt on the third Mondays in December and June, and continue eighteen juridical days each.

In the county of Wolfe on the second Mondays in January and July, and continue twelve juridical days each.

§ 3. That a Circuit Judge and Commonwealth Attorney shall be elected in said judicial district on the first Monday in August, 1886, in the same manner as other Judges and Commonwealth Attorneys are elected, who shall hold their offices until their successors are elected and qualified.

§ 4. That the county of Magoffin, now in the Sixteenth Judicial District, be and is hereby added to the Thirteenth Judicial District, and there shall be a term of the Circuit Court held in said county, commencing on the fourth Mondays in October and April, and continue twelve juridical days each.

§ 5. This act shall take effect and be in force from and after the first Monday in July, 1886.

Mr. Taulbee moved to amend said amendment as follows, viz:

Amend by striking out the fourth section; also by striking out so much of the title as relates to the changing of Magoffin county from the Sixteenth to the Thirteenth Judicial District.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said amendment, as amended, and it was decided in the affirmative.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Wallace, from the Committee on Education—

An act fixing the boundary and for the benefit of the school district No. 67, in Fleming county.

By Mr. Martin, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to amend the charter of the town of Berryville, and change the name thereof," approved April 9, 1880.

By same—

An act to amend the charter of the Independence and Colemansville Turnpike Road Company.

By Mr. Taulbee, from the Committee on Propositions and Grievances—

An act to add Magoffin county, now in the Sixteenth Judicial District, to the Thirteenth Judicial District, and fix the time for holding the Circuit Courts therein.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Hays, the Senate then adjourned.

TUESDAY, APRIL 27, 1886.

The reading of the Journal of yesterday was dispensed with.

On motion of Mr. Neat, leave of absence, indefinitely, was granted Mr. Cravens.

A message was received from the House of Representatives announcing that they had passed a bill which originated in the Senate, entitled

An act to amend an act to incorporate Maple Hill Female College, in Grant county, approved March 13, 1886.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Wallace, from the Committee on General Statutes—

An act to incorporate the Stony Run and Ford Turnpike Road Company.

By Mr. Kendall, from the same committee—

An act to amend chapter 630, of the acts of the present session of the General Assembly.

By Mr. Sparks, from the Committee on Immigration and Labor—

An act to prevent distillers from emptying their slops and offal into Hickman creek, in Jessamine county.

By same—

An act to amend an act, entitled "An act to prevent trespass in the county of Woodford," approved April 17, 1884.

By Mr. Hill, from the Committee on Courts of Justice—

An act authorizing the Carter County Court to levy and collect a poll or capitation tax of not exceeding one dollar on each male person over the age of twenty-one years, and an ad valorem tax of not exceeding ten cents on each one hundred dollars of taxable property in said county each year, to pay the ordinary expenses of said county each year.

By Mr. Sparks, from the Committee on Internal Improvements—

An act to incorporate the Blakeman Mills and Buckeye Turnpike Road Company, in Madison and Garrard counties.

By Mr. McDanell, from the Committee on Finance—

An act to amend the charter of the town of Gratz, in Owen county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Frederick asked leave to withdraw from the House of Representatives, the announcement of the passage by the Senate of a bill, entitled

An act to amend an act, entitled "An act to incorporate the Kentucky Household Gas Supply Company."

And the question being taken on granting said request, and a quorum of the Senate not voting thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Sparks, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	Henry Dixon,	J. N. Price,
A. S. Berry,	W. H. Frederick,	E. R. Sparks,
J. W. Bryan,	S. E. Hill,	E. L. Worthington,
C. M. Clay, Jr.,	J. W. Ogilvie,	W. H. Taulbee—13.
F. M. Clement,		

Those who voted in the negative, were—

H. T. Kendall,	D. H. Smith,	F. T. D. Wallace—5.
J. H. McDanell,	J. R. W. Smith,	

The Senate, according to order, took up for consideration a bill, entitled

An act to quiet land titles in this Commonwealth.

On motion of Mr. Hill,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, April 28th, at 10:30 o'clock, and from day to day until disposed of.

Mr. D. H. Smith, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act to repeal all acts or parts of acts that gave to normal schools, etc., the right to issue diplomas or certificates to persons to teach in the common schools of this State,

Reported the same without amendment.

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, May 5th, at 11 o'clock A. M., and from day to day until disposed of.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Berry, from the Committee on Banks and Insurance—

A bill to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870.

By Mr. Wallace, from the Committee on General Statutes—

A bill to incorporate the Pine Hill Cemetery Company, of Louisa, Lawrence county.

By Mr. D. H. Smith, from the Committee on Fish Culture—

A bill to repeal all acts making it unlawful to seine and trap fish in the counties of Green, Taylor, Adair, Wayne, Larue, Hart, Ohio and Butler.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to permit defendants in all penal and criminal prosecutions to testify.

Mr. Bryan moved to amend said bill as follows, viz:

Amend section 1 by adding thereto the following: *Provided*, That in prosecutions for homicide the accused shall not be permitted to testify, unless the declarations of the persons charged to have been killed shall have been admitted as evidence, in which case the accused may testify concerning facts and circumstances only to which such declarations relate.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan, J. H. McDanell, J. W. Ogilvie,
W. H. Frederick, W. F. Neat, E. R. Sparks—7.
R. G. Hays,

Those who voted in the negative, were—

A. S. Berry, S. E. Hill, D. H. Smith,
C. M. Clay, Jr., H. T. Kendall, J. R. W. Smith,
F. M. Clement, L. W. McKee, W. H. Taulbee,
G. G. Gilbert, J. N. Price, E. L. Worthington,
T. S. Grundy, J. T. Simon, F. T. D. Wallace—15.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had rejected said amendment.

And the question being taken thereon, and no quorum of the Senate voting thereon, said motion fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Simon and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan, J. H. McDanell, J. R. W. Smith,
C. M. Clay, Jr., W. F. Neat, E. R. Sparks,
W. H. Frederick, J. W. Ogilvie, F. T. D. Wallace—10.
T. S. Grundy,

Those who voted in the negative, were—

A. S. Berry, G. G. Gilbert, J. T. Simon,
F. M. Clement, L. M. Martin, E. L. Worthington,
Henry Dixon, L. W. McKee, W. H. Taulbee—9.

The Senate, according to order, resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from and Mr. Clay being called to the chair, the subject under consideration being a bill from the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

After a time spent in the consideration of said bill, the committee rose, the Speaker of the Senate resumed the chair, and Mr. Clay, the Chairman, reported that the committee had had under consideration a bill, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

And after proceeding with the consideration of the same for a time, and not completing the same, had risen and directed him to report progress to the Senate, and ask leave to sit again at 11 o'clock to-morrow.

Which was granted.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Price moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Simon and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Clement,	J. H. McDanell,	J. N. Price,
Henry Dixon,	L. W. McKee,	E. R. Sparks—8.
T. S. Grundy,	W. F. Neat,	

Those who voted in the negative, were—

J. W. Bryan,	S. E. Hill,	J. T. Simon,
C. M. Clay, Jr.,	H. T. Kendall,	W. H. Taulbee,
W. H. Frederick,	L. M. Martin,	E. L. Worthington,
G. G. Gilbert,	J. W. Ogilvie,	F. T. D. Wallace—13.
R. G. Hays,		

Leave was granted to bring in the following bills, viz:

On motion of Mr. Taulbee—

1. A bill to prohibit the sale of spirituous, vinous or malt liquors in the county of Lee, and to provide for the taking of a vote of the county on the proposition.

On motion of Mr. Berry—

2. A bill, entitled "An act to regulate and control the business of fire and marine and other insurance, except life insurance, etc."

On motion of Mr. McKee—

3. A bill for the benefit of the Board of Councilmen of the city of Frankfort.

On motion of same—

4. A bill for the benefit of the Southern Gas-works Company.

On motion of same—

5. A bill for the benefit of the first magisterial district of Franklin county.

On motion of same—

6. A bill empowering the County Judge of Franklin county to appoint a patrol or county police in the first magisterial district in said county, and defining his duties, power and pay.

On motion of Mr. Berry—

7. A bill appointing trustees for the town of North Pleasureville, in Henry county.

On motion of same—

8. A bill repealing a portion of section 1, article 5, chapter 33, General Statutes.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st; the Committee on Banks and Insurance the 2d; and the Committee on General Statutes the 3d, 4th, 5th, 6th, 7th and 8th.

On motion of Mr. Frederick,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Kentucky Household Gas Supply Company."

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Frederick moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Neat, from the Committee on Enrollments, reported that

the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to protect the health of citizens on the lines of railroads in Grayson county;

An act to legalize the payment of the officers and agents and general expenses of the Householder's Mutual Benefit Association of Kentucky;

An act to incorporate the Standard Normal University;

An act to authorize the County Court of Fayette county to issue bonds;

An act to incorporate the Buck Creek Coal Company, in Whitley county;

An act to amend an act, entitled "An act to prevent the sale of spirituous, vinous or malt liquors, or any mixture thereof, within one and a half miles of Hinton Station, in Scott county," approved April 6, 1880;

An act to authorize Timothy Rowe to erect a mill-dam across the Little Sandy river, in Elliott county;

An act to amend the charter of the Homestead Building Association;

An act to amend an act, entitled "An act to incorporate the Great Western Lumber, Mining and Manufacturing Company," approved April 24, 1882, and all acts amendatory thereto;

An act to declare the Clear Fork, of Cumberland river, a lawful fence from mouth of Elk creek to State line, in Whitley county;

An act to incorporate the Owensboro Banking Company;

An act to amend an act, entitled "An act to amend and reduce into one all the acts and laws in relation to the town of Trenton, in Todd county," approved March, 1886;

An act to prohibit the sale of spirituous, vinous and malt liquors within one and one-half miles of Zion Church, on the Hartford road, in Daviess county;

An act to incorporate the town of Grange City, in Fleming county;

An act to amend an act, entitled "An act to incorporate the Bradford and Lenoxburg Turnpike Road Company, and authorize the levying of a tax to keep said road in repair;"

An act, entitled "An act to prohibit the sale of spirituous,

vinous and malt liquors within two miles of Zion Baptist Church, of Henderson county;"

An act to amend an act incorporating the Paint Lick, Walnut Meadow and Big Hill Turnpike Road, in Madison county;

An act to amend the charter of the city of Dayton;

An act to amend the charter of the Hancock Stock and Fence Law Company;

An act to change the line between Blue Ball and Pincheon precincts, in Clark county;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to amend an act, entitled "An act to amend an act incorporating the town of Munfordville, in Hart county," approved May 12, 1884;

An act for the benefit of Thomas H. May, of Magoffin county;

An act authorizing the city of Newport to issue bonds for refunding bonds issued under an act authorizing the city of Newport to issue bonds for certain purposes, approved February 12, 1880;

An act authorizing the Board of Councilmen of Newport, Kentucky, when sitting as a court, to compel the attendance of witnesses and the giving in of testimony;

An act to incorporate the Southern Contract Company;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

On motion of Mr. Berry, the Senate then adjourned.

WEDNESDAY, APRIL 28, 1886.

The reading of the Journal of yesterday was dispensed with.

Mr. Martin moved the following resolution, viz:

Resolved, That the Committee of the Whole may order the previous question whenever it may see proper so to do on any question before it in considering the revenue bill.

And the question being taken on the adoption of said resolution, and no quorum of the Senate voting thereon, said resolution fell into the orders of the day.

Mr. Bush moved to reconsider the vote by which the Senate had passed a bill, entitled

An act repealing all acts making it unlawful to seine and trap fish in the counties of Green, Taylor, Adair, Wayne, Larue, Hart, Ohio and Butler.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Bush moved an amendment to said bill.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to repeal all acts making it unlawful to seine and trap fish in the counties of Green, Taylor, Adair, Wayne, Larue, Hart, Ohio, Butler, Simpson, Logan, Todd, Edmonson, Allen, Barren, Muhlenberg, Metcalfe and Monroe.

Mr. Clement, from the Committee on Military Affairs, to whom was referred a joint resolution from the House of Representatives, entitled

Resolution directing the removal of the remains of Lieut.-Col. Ezekiel Fields, and their interment in the State lot in the cemetery at Frankfort,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

On motion of Mr. Dixon,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867, and the several acts amendatory thereto.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of D. E. Phillips, of Jefferson county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, Pike county."

An act to amend an act, entitled "An act to amend and reduce into one the several acts incorporating the town of Falmouth, Pendleton county."

An act to amend the charter of the Newport and Dayton Street Railway Company.

An act in relation to the Hartford graded school, known as Hartford College.

An act to incorporate the London, Manchester and Whitesburg Telephone and Telegraph Company.

An act declaring Brushy Fork of Blaine creek, in Lawrence county, a navigable stream.

An act to incorporate the Great Western Stock Breeders' Association.

An act to amend an act, entitled "An act incorporating the John C. Breckinridge Monument Association," approved February 23, 1886, and an act to aid in the erection of a monument over the grave of John C. Breckinridge, approved March 11, 1878.

An act to incorporate the Citizens' Bank of Owensboro.

An act to amend an act, entitled "An act to amend an act, entitled 'An act establishing a new charter for the city of Louisville,'" approved March 3, 1870, approved January 26, 1882.

An act to incorporate Capital City Lodge, No. 1,597, G. U. O. O. F.

An act to amend an act, entitled "An act to incorporate the Hopkinsville and Cadiz Railroad Company," approved April 8, 1884.

Mr. Hill moved the following resolution, viz:

Resolved, That the Senate hold afternoon sessions from 4 o'clock till 6 o'clock till the revenue bill is disposed of.

Mr. Alford moved an amendment to said resolution as a substitute therefor, viz:

Resolved by the Senate of Kentucky, That on and after Monday, May 3d, this body shall hold afternoon session, beginning at 3 o'clock.

Mr. D. H. Smith moved to lay on the table said resolution and proposed amendment thereto.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and Martin, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	R. G. Hays,	W. H. Taulbee,
W. W. Bush,	H. T. Kendall,	F. T. D. Wallace,
C. M. Clay, Jr.,	D. H. Smith,	J. H. Wilson—10.
Henry Dixon,		

Those who voted in the negative, were—

M. C. Alford,	S. E. Hill,	F. D. Rigney,
S. H. Boles,	L. M. Martin,	J. T. Simon,
F. M. Clement,	J. H. McDanell,	J. R. W. Smith,
John Feland,	W. F. Neat,	E. R. Sparks,
W. H. Frederick,	J. N. Price,	R. S. Triplett—16.
T. S. Grundy,		

Mr. Wilson moved that the further consideration of said resolution and proposed amendment thereto be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

Henry Dixon,	H. T. Kendall,	J. H. Wilson—5.
R. G. Hays,	D. H. Smith,	

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	F. D. Rigney,
S. H. Boles,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	S. E. Hill,	J. R. W. Smith,
W. W. Bush,	J. H. McDanell,	W. H. Taulbee,
F. M. Clement,	J. W. Ogilvie,	R. S. Triplett—17.
John Feland,	J. N. Price,	

Mr. Bryan moved to amend the amendment proposed to said resolution by Mr. Alford as follows, viz:

That no business other than the revenue bill to be considered.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Alford to said resolution, and no quorum of the Senate voting thereon, said resolution fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Hays and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

R. G. Hays,	L. M. Martin,	L. W. McKee,
H. T. Kendall,	J. H. McDanell,	J. H. Wilson—6.

Those who voted in the negative, were—

M. C. Alford,	John Feland,	F. D. Rigney,
S. H. Boles,	W. H. Frederick,	E. R. Sparks,
J. W. Bryan,	S. E. Hill,	W. H. Taulbee,
F. M. Clement,	J. N. Price,	R. S. Triplett—12.

Mr. Hill moved that the rules of the Senate be suspended, and that said resolution be taken up from the orders of the day for consideration.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	T. S. Grundy,	F. D. Rigney,
J. W. Bryan,	S. E. Hill,	J. T. Simon,
C. M. Clay, Jr.,	J. H. McDanell,	J. R. W. Smith,
F. M. Clement,	L. W. McKee,	E. R. Sparks,
John Feland,	W. F. Neat,	R. S. Triplett—17.
W. H. Frederick,	J. W. Ogilvie,	

Those who voted in the negative, were—

M. C. Alford,	L. M. Martin.	D. H. Smith,
W. W. Bush,	J. N. Price,	J. H. Wilson—8.
Henry Dixon,	W. H. Taulbee,	

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to regulate the holding of Criminal Courts in the counties of Magoffin, Johnson, Carter, Boyd and Martin.

An act to amend an act, entitled "An act to recharter the town of London, Laurel county."

An act to prohibit the sale of spirituous liquors in the county of Livingston.

An act to make Big Barren river a lawful fence from Allen county line to Bowling Green.

An act to incorporate the Sand Hill and Concord Turnpike Road Company, of Lewis county.

An act to change the time of holding the Court of Claims in Calloway county.

An act to repeal an act, entitled "An act to amend the charter of the town of Cave City, in Barren county," approved May 8, 1884.

An act to prevent stock from running at large in magisterial districts Nos. 5 and 6, in Todd county.

An act for the benefit of James L. Plummer, late Sheriff of Simpson county.

An act to authorize Henry C. Wells to erect a mill-dam across Daniel's creek, Johnson county.

An act to amend an act, entitled "An act to incorporate the town of Williamstown, in Grant county," and the several amendments thereto.

An act to re-enact and amend section 3, of an act approved March 14, 1872, entitled "An act to amend the charter of Bryantsville," and further amend an act approved February 14, 1871.

An act to amend the charter of the Georgetown and Dry Ridge Turnpike Company, in Scott county.

An act to amend an act, entitled "An act to establish a new charter for the town of Elkton, in Todd county," approved April 21, 1884.

An act to establish an additional magisterial district, in Todd county.

An act for the benefit of the Kentucky Institution for the Education of Deaf Mutes, at Danville.

An act to amend an act, entitled "An act to provide for appointing and electing commissioners for the county of Kenton, and defining their duties and the duties of other county officers whose duties are connected with the duties of said commissioners."

An act to amend an act, entitled "An act to establish the Nicholas Chancery Court."

An act to amend an act, entitled "An act to authorize Menifee County Court to issue bonds for the purpose of building a jail," approved March 18, 1886.

An act to re-enact an act, entitled "An act to authorize Martin Preston & Company to keep a boom across the mouth of Paint creek, in Johnson county."

An act to amend an act, entitled "An act to incorporate the town of Lamasco, in Lyon county," approved April 1, 1882.

An act to amend an act, entitled "An act for the benefit of the Clerks of the County Courts of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd,

Logan and Simpson counties," became a law without approval, January 10, 1873.

An act for the benefit of the Clerks of the Circuit and County Courts and other officers of this Commonwealth.

An act to declare Brush creek, in Floyd county, a navigable stream.

An act to repeal an act, entitled "An act to authorize W. O. B. Ratliff and others to erect a boom across Shelby creek, in Pike county."

An act changing the boundary line between the counties of Clay and Laurel.

An act to amend an act, entitled "An act to incorporate the Barren River Turnpike Road Company, in Warren county."

An act to amend an act, entitled "An act to incorporate the Winchester Lighting Company," approved April 2, 1882.

An act to authorize the trustees of the town of Auburn to issue bonds for street purposes, and to levy a tax to pay the interest and to create a sinking fund for the redemption of said bonds.

An act to amend an act, entitled "An act to further regulate the retail traffic in spirituous, vinous and malt liquors and nostrums used as a beverage," approved May 5, 1880.

An act to amend an act, entitled "An act to incorporate the Drennon Springs Company, in Henry county," approved April 4, 1884.

An act to incorporate the Burkesville and Leslie Turnpike Company.

Joint resolution for the benefit of J. A. Grant, W. T. Flynn and Robert Loomis.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Alexander A. Lowe, of Boyd county.

An act incorporating the Owensboro Opera-house Company.

An act to divide precinct No. 1, in Pendleton county, into two voting places.

An act to incorporate the Pendleton Natural Gas and Fuel Company.

An act prescribing the manner in which certain lands belonging to the border counties in the State of Kentucky, south of

Walker's line, and north of latitude thirty-six degrees, thirty minutes, in the State of Tennessee, shall hereafter be entered, surveyed and carried into grant.

An act to authorize precinct No. 1, in Larue county, to subscribe for stock in the Hodgenville and Elizabethtown Railway Company.

With an amendment to the last-named bill.

That they had concurred in an amendment adopted by the Senate to an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to establish the Nineteenth Circuit Court District, composed of the counties of Estill, Powell, Lee, Clay, Perry, Letcher, Knott and Breathitt.

That they had adopted a joint resolution and passed bills of the following titles, viz:

1. Resolution fixing a day of final adjournment of the present General Assembly.

2. An act to amend an act, entitled "An act to incorporate the town of Hickory Grove, in Graves county," approved April 11, 1873, and to amend an act amending said act, approved April 5, 1878, and to fix the boundaries of said Hickory Grove.

3. An act to require railroad companies operating railroads in this State to provide water-closets at their passenger depots, and to prescribe punishments for refusal.

4. An act for the benefit of John J. Smiley, of Pulaski county.

5. An act to repeal an act, entitled "An act to declare certain contracts, 'Gaming,'" approved April 8, 1884.

An act to declare the Cumberland river to be a lawful fence from the upper end of J. M. Pursifull's farm, in Bell county, to the Stinking creek bridge, in Knox county.

7. An act for the benefit of the Headquarters and Summit Station Turnpike Road Company.

8. An act to prohibit the selling, loaning, giving or furnishing any spirituous, vinous or malt liquors, or any mixture thereof, upon the day of any election or political convention in the counties of Wayne and Russell.

9. An act to incorporate the Frankfort Heating Company.

10. An act for the benefit of W. R. Ramsey, R. Y. Thomas, Jr. and Farish Arnett.

11. An act for the benefit of the Commissioners of the Kentucky Institution for the Instruction of Deaf Mutes.

12. An act to incorporate the National Sick and Accident Fund, Adairsville, Logan county, Kentucky.

13. An act for the benefit of R. W. Noel.

14. An act to incorporate the Cincinnati, Cumberland Valley and Nashville Railway Company, and to authorize certain counties to raise money to aid in the construction of a railroad by said company.

15. An act to legalize certain acts where districts have voted and collected a special school tax for the purposes of tuition, and to authorize the trustees to extend school term in such districts beyond a five months' term.

16. An act to regulate the inspection of steam-boilers, and fixing the qualifications of persons in charge thereof, in the city of Louisville and county of Jefferson.

Which bills and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the 1st to the Committee on General Statutes; the 2d and 8th to the Committee on Religion and Morals; the 3d and 14th to the Committee on Railroads; the 4th, 10th and 13th to the Committee on Claims; the 5th and 9th to the Committee on Courts of Justice; the 6th to the Committee on Propositions and Grievances; the 7th to the Committee on the Judiciary; the 11th and 12th to the Committee on Charitable Institutions; the 15th to the Committee on Education; and the 16th to the Committee on Agriculture and Manufactures.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Bryan, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to amend the charter of the city of Covington," approved March 11, 1886.

By Mr. D. H. Smith, from the Committee on Fish Culture—

An act to amend an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1876, and all acts amendatory thereto, so far as the same applies to the counties of Warren, Edmonson and Butler.

By Mr. Bush, from the Committee on Charitable Institutions—

An act to incorporate the Grand Lodge of the Independent Order of Knights of Honor, colored, of the United States, at Lexington.

By same—

An act to charter the Supreme Lodge, Colored Brotherhood of Honor.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to bring in the same, viz:

By Mr. Simon, from the Committee on Executive Affairs—

A bill to amend an act to incorporate the Pendleton Agricultural and Mechanical Association, approved March 16, 1878.

By Mr. Martin, from the Committee on the Judiciary—

A bill to extend and define the boundary of the city of Newport.

By Mr. Wallace, from the Committee on General Statutes—

A bill to amend an act, entitled "An act to establish a Board of Commissioners for Floyd county, and to define their duties and the duties of other county officers whose duties are connected with the duties of said commissioners," approved April 10, 1886.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to regulate the location and maintenance of pest-houses for the treatment of eruptive or infectious or contagious diseases;

An act to incorporate the Kentucky Electric Company;

An act to authorize peace officers to take bond in criminal and penal cases;

An act for the benefit of common school district No. 18, in Campbell county;

An act to amend an act, entitled "An act to incorporate the Christian Church of the town of Paducah," approved November 18, 1850;

An act for the benefit of William Henderson, Thomas F. Terrell, Jr., and Thomas S. Heady, of Ballard county;

An act to authorize the Clerk of the Russell County Court to appoint his wife deputy Clerk;

An act to incorporate the Kentucky Water-works Construction Company;

An act for the benefit of R. T. Howard, of Magoffin county;

An act to amend the charter of the town of Olive Hill, in Carter county;

An act for the benefit of the sureties of Wilson Barnett, late Sheriff of Menifee county;

An act to authorize the Circuit Court Clerks of Magoffin and Morgan counties to make cross-index to the judgment books of said counties;

An act to amend the charter of the town of Clinton, in Hickman county;

An act concerning the Quarterly Courts of Warren county;

An act in relation to the moving of traction and portable engines over and along the roads and passways of Union county;

An act to change school district No. 25, in Hopkins county;

An act to incorporate the Lexington Horse and Cattle Exchange;

An act to incorporate the Louisville Detective Agency;

An act to incorporate the Exchange Bank of Greenup;

An act for the benefit of G. F. Byrd, late Sheriff of Wolfe county, and his sureties;

An act declaring Burning Spring Fork, in Magoffin county, a navigable stream;

An act to amend the charter of the town of Central City, in Muhlenberg county;

An act to legalize the signing of certain orders made by the Judge of the Martin County Court;

An act to amend the charter of the town of Elizabethtown, in this Commonwealth;

An act to amend the charter of the Logan County Bank;

An act to change the times of holding the Circuit Courts and Courts of Common Pleas in the county of Ballard, in the First Judicial District;

An act to authorize Isaiah Short and Samuel H. Burton to erect a mill-dam across Brushy Fork of Blaine;

An act to consolidate common school districts Nos. 1 and 26, in Carroll county, and to provide for a school building and the better organization of the public schools in said consolidated district;

An act to prohibit the sale of spirituous, vinous and malt liquors within two miles of Glenville school-house, in district No. 16, McLean county;

And enrolled bills which originated in the Senate of the following titles, viz:

An act for the government of political primary elections, mass-meetings and conventions held under the provisions thereof, in Kenton county;

An act to establish the Dinmore Park Springs Companies;

An act to amend an act, entitled "An act to incorporate the Mechanic's Building and Loan Association of Lexington;"

An act to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Lagrange, in Oldham county," approved February 2, 1882;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Price—

1. A bill to amend an act to incorporate the Tygart Valley Iron Company.

On motion of Mr. Wallace—

2. A bill to amend an act entitled "An act to establish a Board of Commissioners for Floyd county, and to define their duties and the duties of other county officers, whose duties are connected with the duties of said Commissioners," approved April 10, 1886.

On motion of Mr. Hays—

3. A bill establishing the Fountain Ferry Landing and Wharf, in Jefferson county, on the Ohio river.

On motion of Mr. Rigney—

4. A bill to incorporate the Danville Cornet Band Company.

On motion of Mr. Kendall—

5. A bill to amend the charter of the city of Frankfort.

Ordered, That the Committee on Claims prepare and bring in the 1st; the Committee on General Statutes the 2d; the Committee on Courts of Justice the 3d; the Committee on Agriculture and Manufactures the 4th, and the Committee on the Judiciary the 5th.

Mr. Martin, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

An act to declare void certain endorsements heretofore erroneously made on certain warrants on file in the Land Office, and to authorize patents to be issued on said certificates of survey.

Pending the consideration of said bill the hour of 11 o'clock A. M. having arrived, further action thereon was cut off.

The Senate, according to order, resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker retiring from and Mr. Clay being called to the chair,

the subject under consideration being a bill from the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

After a time spent in the consideration of said bill the committee rose, the Speaker of the Senate resumed the chair, and Mr. Clay, the Chairman, reported that the committee had had under consideration a bill, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

And after proceeding with the consideration of the same for a time had risen and directed him to report said bill back to the Senate without an expression of opinion.

Mr. Clay moved that said bill be considered by the Senate, section by section.

And the question being taken thereon, it was decided in the affirmative.

Mr. D. H. Smith moved that the further consideration of said bill be postponed until Thursday, April 29th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ogilvie and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	J. N. Price,
S. H. Boles,	R. G. Hays,	F. D. Rigney,
W. W. Bush,	H. T. Kendall,	D. H. Smith,
F. M. Clement,	L. W. McKee,	F. T. D. Wallace,
John Feland,	J. W. Ogilvie,	J. H. Wilson—15.

Those who voted in the negative, were—

M. C. Alford,	S. E. Hill,	E. R. Sparks,
J. W. Bryan,	L. M. Martin,	W. H. Taulbee,
G. G. Gilbert,	J. H. McDanell,	R. S. Triplett—11.
T. S. Grundy,	J. R. W. Smith,	

Mr. Wilson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	J. N. Price,
S. H. Boles,	T. S. Grundy,	E. R. Sparks,
W. W. Bush,	R. G. Hays,	W. H. Taulbee,
F. M. Clement,	L. W. McKee,	F. T. D. Wallace,
Henry Dixon,	J. W. Ogilvie,	J. H. Wilson—15.

Those who voted in the negative, were—

M. C. Alford,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	H. T. Kendall,	D. H. Smith,
C. M. Clay, Jr.,	L. M. Martin,	J. R. W. Smith,
John Feland,	J. H. McDanell,	R. S. Triplett—14.
G. G. Gilbert,	W. F. Neat,	

And then the Senate adjourned.

THURSDAY, APRIL 29, 1886.

The reading of the Journal of yesterday was dispensed with.

The Senate took up for consideration the motion heretofore entered by Mr. Kendall to reconsider the vote by which the Senate had concurred in an amendment with an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act incorporating the Louisville Natural Gas and Heating Company.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The Senate took up for consideration the motion heretofore entered by Mr. J. R. W. Smith to reconsider the vote by which the Senate had rejected an amendment proposed by Mr. Bryan to a bill which originated in the House of Representatives, entitled

An act to permit defendants in all penal and criminal prosecutions to testify.

[*For bill and amendment, see Senate Journal of April 27th.*]

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. J. Caudill,	W. F. Neat,
S. H. Boles,	R. G. Hays,	J. N. Price,
J. W. Bryan,	J. H. McDanell,	J. R. W. Smith—9.

Those who voted in the negative, were—

A. S. Berry,	G. G. Gilbert,	D. H. Smith,
W. W. Bush,	T. S. Grundy,	W. H. Taulbee,
F. M. Clement,	S. E. Hill,	R. S. Triplett,
Henry Dixon,	H. T. Kendall,	Robert Walker,
John Feland,	J. W. Ogilvie,	J. H. Wilson—17.
W. H. Frederick,	J. T. Simon,	

Mr. Alford moved the following amendment to said bill as a substitute therefor:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all of section 234 of the Criminal Code of Practice, except the number thereof, shall be and is hereby repealed, and in lieu thereof the following shall be substituted: No person shall be disqualified as a witness in any penal or criminal cause or proceeding by reason of his interest in the event of same, as a party or otherwise, but such interest may be shown for the purpose of affecting his credibility: *Provided, however*, That the defendant, or the husband or wife of the defendant, shall, at the defendant's request and not otherwise, be deemed a competent witness, and his neglect to testify in his own behalf shall not create any presumption against him, nor shall the court permit any reference to or comment upon

such neglect; but if the offense is charged to have been committed against the person of one who is the husband or wife of the accused, such husband or wife shall be a competent witness for the prosecution.

§ 2. This act shall take effect from and after its passage.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alford and Clay, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, Henry Dixon, S. E. Hill,
J. W. Bryan, R. G. Hays, L. W. McKee—7.
C. M. Clay, Jr.,

Those who voted in the negative, were—

A. S. Berry, T. S. Grundy, J. T. Simon,
S. H. Boles, H. T. Kendall, D. H.. Smith,
W. W. Bush, L. M. Martin, J. R. W. Smith,
W. J. Caudill, J. H. McDanell, W. H. Taulbee,
F. M. Clement, W. F. Neat, R. S. Triplett,
John Feland, J. W. Ogilvie, Robert Walker,
W. H. Frederick, J. N. Price, J. H. Wilson—22.
G. G. Gilbert,

Mr. Alford moved to amend said bill as follows, viz:

Amend by striking out the words "or her" at the close of the first section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alford and Hays, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, S. E. Hill, L. W. McKee—4.
R. G. Hays,

Those who voted in the negative, were—

A. S. Berry, T. S. Grundy, J. T. Simon,
W. W. Bush, H. T. Kendall, D. H. Smith,
W. J. Caudill, L. M. Martin, J. R. W. Smith,
F. M. Clement, J. H. McDanell, W. H. Taulbee,
John Feland, J. W. Ogilvie, R. S. Triplett,
W. H. Frederick, J. N. Price, J. H. Wilson—19.
G. G. Gilbert,

Mr. Alford moved to amend said bill as follows, viz:

Amend by inserting, after the word "his," in the fourth line, the words "or her;" and also after the word "his," as it severally occurs in the fifth line, the words "or her."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alford and McKee, were as follows, viz:

Those who voted in the affirmative, were--

M. C. Alford, R. G. Hays, J. H. McDanell,
C. M. Clay, Jr., S. E. Hill, L. W. McKee—7.
Henry Dixon,

Those who voted in the negative, were—

A. S. Berry, G. G. Gilbert, J. T. Simon,
S. H. Boles, T. S. Grundy, D. H. Smith,
W. W. Bush, H. T. Kendall, J. R. W. Smith,
W. J. Caudill, L. M. Martin, W. H. Taulbee,
F. M. Clement, W. F. Neat, R. S. Triplett,
W. M. Cravens, J. W. Ogilvie, J. H. Wilson,
John Feland, J. N. Price, Robert Walker—22.
W. H. Frederick,

Mr. Alford moved to amend said bill as follows, viz:

Amend by striking out of the third line of the third section the words "and proven to the satisfaction of the court."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alford and McKee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, S. E. Hill, L. W. McKee—5.
R. G. Hays, J. H. McDanell,

Those who voted in the negative, were—

A. S. Berry, W. H. Frederick, J. N. Price,
S. H Boles, G. G. Gilbert, J. T. Simon,
W. W. Bush, T. S. Grundy, D. H. Smith,
W. J. Caudill, H. T. Kendall, J. R. W. Smith,
F. M. Clement, L. M. Martin, W. H. Taulbee,
W. M. Cravens, W. F. Neat, R. S. Triplett,
John Feland, J. W. Ogilvie, J. H. Wilson—21.

Mr. Alford moved to amend said bill as follows, viz:

Amend by striking out the fourth section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alford and McKee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	R. G. Hays,	L. W. McKee—5.
S. H. Boles,	J. H. McDanell,	

Those who voted in the negative, were—

A. S. Berry,	T. S. Grundy,	J. T. Simon,
W. W. Bush,	S. E. Hill,	D. H. Smith,
W. J. Caudill,	H. T. Kendall,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
F. M. Clement,	W. F. Neat,	R. S. Triplett,
John Feland,	J. W. Ogilvie,	J. H. Wilson—20.
W. H. Frederick,	J. N. Price,	

Mr. Bush moved the previous question.

And the question being taken "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Alford moved that said bill be recommitted to the Committee on General Statutes.

The yeas and nays being required thereon by Messrs. Alford and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. J. Caudill,	L. W. McKee,
S. H. Boles,	R. G. Hays,	W. F. Neat—8.
J. W. Bryan,	H. T. Kendall,	

Those who voted in the negative, were—

A. S. Berry,	T. S. Grundy,	D. H. Smith,
W. W. Bush,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
F. M. Clement,	J. H. McDanell,	R. S. Triplett,
John Feland,	J. W. Ogilvie,	Robert Walker.
W. H. Frederick,	J. N. Price,	J. H. Wilson—20.
G. G. Gilbert,	J. T. Simon,	

Mr. Simon moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alford and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	J. T. Simon,
A. S. Berry,	S. E. Hill,	D. H. Smith,
W. W. Bush,	L. M. Martin,	J. R. W. Smith,
F. M. Clement,	J. H. McDanell,	W. H. Taulbee,
John Feland,	L. W. McKee,	R. S. Triplett,
W. H. Frederick,	J. W. Ogilvie,	Robert Walker,
G. G. Gilbert,	J. N. Price,	J. H. Wilson—21.

Those who voted in the negative, were—

S. H. Boles,	R. G. Hays,	W. F. Neat—5.
W. J. Caudill,	H. T. Kendall,	

Mr. Bush moved that the consideration of the special order of the day be postponed until said bill was disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alford and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	G. G. Gilbert,	J. T. Simon,
J. W. Bryan,	T. S. Grundy,	D. H. Smith,
W. W. Bush,	S. E. Hill,	W. H. Taulbee,
F. M. Clement,	L. M. Martin,	R. S. Triplett,
W. M. Cravens,	J. H. McDanell,	Robert Walker,
John Feland,	J. W. Ogilvie,	J. H. Wilson—20.
W. H. Frederick,	J. N. Price,	

Those who voted in the negative, were—

M. C. Alford,	W. J. Caudill,	L. W. McKee,
S. H. Boles,	R. G. Hays,	W. F. Neat,
R. A. Burnett,	H. T. Kendall,	J. R. W. Smith—9.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	T. S. Grundy,	D. H. Smith,
W. W. Bush,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
F. M. Clement,	J. H. McDanell,	R. S. Triplett,
W. M. Cravens,	L. W. McKee,	Robert Walker,
John Feland,	J. N. Price,	J. H. Wilson—20.
W. H. Frederick,	J. T. Simon,	

Those who voted in the negative, were—

M. C. Alford,	R. A. Burnett,	H. T. Kendall,
S. H. Boles,	W. J. Caudill,	W. F. Neat,
J. W. Bryan,	R. G. Hays,	J. W. Ogilvie—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Taulbee moved to reconsider the vote by which the Senate had passed said bill.

Mr. Bryan moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Price, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	R. G. Hays,	D. H. Smith,
W. W. Bush,	S. E. Hill,	J. R. W. Smith,
F. M. Clement,	L. M. Martin,	W. H. Taulbee,
W. M. Cravens,	L. W. McKee,	R. S. Triplett,
John Feland,	J. W. Ogilvie,	Robert Walker,
W. H. Frederick,	J. N. Price,	J. H. Wilson—22.
G. G. Gilbert,		

Those who voted in the negative, were—

M. C. Alford,	R. A. Burnett,	H. T. Kendall—5.
S. H. Boles,	W. J. Caudill,	

Leave was granted to bring in the following bills, viz:

On motion of Mr. Boles—

1. A bill to authorize D. R. Carr, Special Judge of the Barren Circuit Court to sign the record of judgments and orders rendered and made by him as Special Judge of said court at its March term, 1886.

On motion of same—

2. A bill empowering the trustees of common school district No 23, in Metcalfe county, to cause the common school in said district to be taught at the Summer School Institute.

On motion of Mr. Hill—

3. A bill to amend the charter of the Atlanta Agricultural and Stock Display Association.

On motion of Mr. Grundy—

4. A bill to incorporate the Washington County Banking Company.

On motion of Mr. Hays—

5. A bill in reference to changing offenses from felony charges in warrants to misdemeanors in the City Court of Louisville.

On motion of Mr. Taulbee—

6. A bill to amend the charter of the town of Beattyville, in Lee county.

On motion of Mr. Caudill—

7. A bill to change the county line between Clay and Leslie counties.

On motion of Mr. Wilson—

8. A bill prescribing the time for holding courts in the counties in the Fifteenth Judicial District.

On motion of Mr. Kendall—

9. A bill to incorporate the Bullitt County Natural Gas and Manufacturing Company.

On motion of Mr. Cravens—

10. A bill, entitled "An act for the benefit of J. W. Vawter, of Henry county.

On motion of Mr. Gilbert—

11. A bill to amend section 7, article 2, chapter 69, of General Statutes.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Education the 2d; the Committee on Courts of Justice the 3d, 5th, 6th and 8th; the Com-

mittee on Banks and Insurance the 4th; the Committee on Propositions and Grievances the 7th; the Committee on Internal Improvements the 9th; the Committee on Claims the 10th, and the Committee on Printing the 11th.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to legalize the action of the funding board of precinct No. 3, Livermore, McLean county;

An act to incorporate the Central Kentucky Building and Loan Association;

An act to prevent distillers from emptying their slops and offal into Hickman creek, in Jessamine county;

An act to amend the charter of the Lexington Savings Association;

An act to abolish district No. 12, in Harlan county;

An act to extend the Court of Common Pleas in the First Judicial District to the county of Carlisle, and fixing the times for holding the same;

An act for the benefit of colored common schools of Floyd county, and to authorize the superintendent and board of examiners of common schools of said county to issue special license to persons to teach colored common schools of said county;

An act to amend an act, entitled "An act to authorize the county of Mason to subscribe to the capital stock of railroad companies," approved March 29, 1886;

An act to further regulate the conduct of elections in the city of Covington;

An act for the benefit of the owner or lessee of the Ferry at Ashland, Ky., and providing penalties for a violation of the provisions of same;

An act to provide for the registration of voters in the city of Paducah;

An act to amend an act, entitled "An act to prevent trespass in the county of Woodford," approved April 17, 1884;

An act for the benefit of Yeoder J. Jewell, of Fayette county;

An act to incorporate the Manchester, Crooked Creek and Cavedale Turnpike Road Company, of Lewis county;

An act to amend chapter 630, of the acts of the present session of the General Assembly ;

And enrolled bills which originated in the Senate, of the following titles, viz :

An act for the benefit of Alexander A. Lowe, of Boyd county ;

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870 ;

An act to divide precinct No. 1, in Pendleton county, into two voting places ;

An act to improve the tax system of Louisville ;

An act to incorporate the West Kentucky Improvement Company ;

An act prescribing the manner in which certain lands belonging to the border counties in the State of Kentucky, south of Walker's line and north of latitude thirty-six degrees, thirty minutes in the State of Tennessee, shall hereafter be entered, surveyed and carried into grant ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

[*For bill, see Senate Journal, April 21st.*]

Mr. Clay moved that sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, of article 1, as amended and adopted by the Committee of the Whole, be adopted by the Senate.

And the question being taken thereon, it was decided in the affirmative.

The question being upon the adoption of section 1 of the second article of said bill.

Mr. Gilbert moved the following amendment as a substitute for said article, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the same rate of taxation for State purposes which is or which may be hereafter levied in any year on other real estate in this Commonwealth, shall be, and is hereby, levied upon the fair cash valuation of all of the shares of capital stock of the State, National and other banks in this Commonwealth, and all other institutions of loan or discount, and all corporations now required by law to be taxed on their capital stock; and the same rate of taxation for the purpose of any county precinct or municipality in which such bank or other institution above named is located, which is or may hereafter in any year be levied on other property therein, shall be, and is hereby, levied on all of the personal property above named of every such bank or other institution, any special privilege or exemptions in any of the charters of any such corporations or institutions to the contrary notwithstanding.

§ 2. For the purpose of ascertaining the fair cash valuation provided in section 1 of this act, the Auditor may, at his option, investigate by himself or agent, the books of any bank or other corporation above named; and any officer having in charge the affairs of any such institution, or having the control or custody of its books, who shall refuse when duly called upon for that purpose to allow such books to be examined, shall be subject to indictment in the Franklin Circuit Court, or in the Circuit Court of the county wherein any such bank or other institution shall be located, and upon conviction shall be fined not less than one hundred and not more than one thousand dollars. The Commonwealth may, in the county wherein any such bank or other such institution named is located, institute an action in any court having civil, common law jurisdiction of the amount involved for the recovery of such fine.

§ 3. The cashier of every bank, and the treasurer of all other institutions mentioned in this act, shall, on the first day of July of each year, report the fair cash value under oath of all the capital stock, deposits, reserve funds, surplus and all other real and personal property of every kind, owned at that time by such bank or other institution, to the Auditor of Public Accounts, and pay into the Treasury of the State at the same time the full amount of the taxes due the State. If the taxes be not then paid, the cashier or treasurer and his sureties shall be liable for the same, and twenty per cent. upon the amount.

§ 4. Whenever the valuations above named are made and reported to the Auditor, it shall be his duty to forward a copy thereof to the County Clerk of the several counties wherein

such bank or other such institution is located, which shall be carefully preserved by him in his office; and the Sheriff or other tax collector therein shall collect the amount of taxes due the county, precinct or municipality under this act, under the same regulations and with the same remedies and with the same liens that are now provided by law for the collection of other such taxes; and such officer shall be liable in the same manner, and shall pay over such taxes to the same persons as now provided in reference to other such taxes.

§ 5. All the deposits of money, notes, bonds and other choses in action, other than the bonds of the United States, in any and all of the banks or other institutions named in this act, shall be liable to taxation by the owner thereof at the same rate as other such property, and shall be reported to the Assessor by such owner at the same time and manner as other such property is reported, any exemption or special privilege in any charter to the contrary notwithstanding.

§ 6. All general and special laws fixing the rate of taxation on the capital stock or other property of any bank or other institution named in this act and taxing same, and all laws exempting from taxation any property of any such institution or of any depositor therein, are hereby repealed.

Mr. Simon moved to amend said proposed substitute as follows, viz:

Amend Mr. Gilbert's substitute by exempting (20) twenty per cent. of surplus fund of all or any banks whenever set apart as a reserve fund.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the said proposed substitute offered by Mr. Gilbert, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. F. Neat,	D. H. Smith,
G. G. Gilbert,	J. T. Simon,	Robert Walker—7.
S. E. Hill,		

Those who voted in the negative, were—

M. C. Alford,	W. M. Cravens,	J. H. McDanell,
A. S. Berry,	Henry Dixon,	L. W. McKee,
J. W. Bryan,	John Feland,	J. N. Price,
R. A. Burnett,	W. H. Frederick,	J. R. W. Smith,
W. W. Bush,	T. S. Grundy,	W. H. Taulbee,
W. J. Caudill,	R. G. Hays,	R. S. Triplett,
C. M. Clay, Jr.,	H. T. Kendall,	J. H Wilson—23.
F. M. Clement,	L. M. Martin,	

Paired: Ogilvie, yea; Sparks, nay.

Mr. Martin proposed the following amendment as a substitute for section 1 of said article, viz:

§ 1. That shares of stock in State and National banks and other institutions of loan or discount, and in all corporations required by law to be taxed on their capital stock shall be taxed 70 cents on each share thereof equal to $100, or on each $100 of stock therein owned by individuals, corporations or societies, and said banks, institutions and corporations shall, in addition, pay, upon each $100 of so much of their surplus, undivided surplus, undivided profits or undivided accumulations as exceeds an amount equal to 20 per cent. of their capital stock, the same rate of taxation that is assessed upon real estate, which shall be in full of all tax, State, county and municipal. For the purpose of ascertaining such surplus, undivided profits or undivided accumulations the Auditor may, at his option, investigate the books of such bank, institution or corporation, and any officer having in charge the affairs of such bank, institution or corporation who shall refuse when duly called upon for the purpose to allow his books to be investigated, shall be subject to indictment in the Franklin Circuit Court or the Circuit Court of the county wherein said bank, institution or corporation shall be located, and, upon conviction, shall be fined not less than $500 and not more than $1,000. The Commonwealth may, in the county wherein said bank, institution or corporation is located, institute an action in any court having civil, common law jurisdiction of the amount involved for the recovery of the fine.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	C. M. Clay, Jr.,	L. M. Martin,
J. W. Bryan,	Henry Dixon,	J. H. McDanell,
W. J. Caudill,	T. S. Grundy,	J. T. Simon—9.

Those who voted in the negative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
S. H. Boles,	R. G. Hays,	D. H. Smith,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
W. W. Bush,	H. T. Kendall,	W. H. Taulbee,
F. M. Clement,	L. W. McKee,	R. S. Triplett,
John Feland,	W. F. Neat,	Robert Walker,
W. H. Frederick,	J. W. Ogilvie,	J. H. Wilson—21

Mr. J. R. W. Smith moved the following amendment as a substitute for said article, viz:

§ 1. That shares of stock in State and National banks and other institutions of loan or discount, and in all corporations required by law to be taxed on their capital stock shall be taxed 70 cents on each share thereof equal to $100, or on each $100 of stock therein owned by individuals, corporations or societies, and said banks, institutions and corporations shall, in addition, pay on each $100 of so much of their surplus, undivided profits or undivided accumulations as exceeds an amount equal to 20 per cent. of their capital stock, the same rate of taxation that is paid upon other property.

§ 2. The cashier of a bank and the treasurer of any other institution or corporation whose stock is taxed shall, on the first day of July in each year, report to the Auditor of Public Accounts the true amount of the capital stock, the true amount of surplus, undivided profits or undivided accumulations, and pay into the Treasury the amount of tax due. The officer making the report shall affix his affidavit in substance as follows: I, ———, swear (or affirm) that I am the ———— of ————, and that I have in the foregoing report truly and accurately reported the amount of the capital stock and the amount of the surplus, undivided profits or undivided accumulations of said ————. If such tax be not paid within twenty days after the first day of July, the Auditor of Public Accounts may, in the name of the Commonwealth of Kentucky, institute an action in the Franklin Circuit Court, or in the court of any county where such bank, institution or corporation is located for the recovery of the same, and if in such action a recovery be had judgment shall be rendered for the amount of the tax and ten per cent. thereon. If the cashier, treasurer or other officer fails to make the report as in this section provided, it shall be the duty of the Auditor of Public Accounts to assess such bank, institution or corporation, and if such tax be not paid, the same may be recovered as herein provided.

§ 3. If any such bank, institution or corporation on the first day of July in any year has invested in the bonds or funds of the United States which are by law exempt from taxation more of its surplus, undivided profits or undivided accumulations than an amount equal to twenty per cent. of its capital stock, the excess of the amount so invested over the amount equal to twenty per cent. of such capital stock shall be exempt from taxation for that year: *Provided*, Such investment or investments were made in good faith and not for the purpose of avoiding taxation. The officer who makes the report provided for in this article shall also state in his affidavit that such investments, if any, were made in good faith and not for the purpose of avoiding taxation.

§ 4. That each of said banks and corporations, by its proper

corporate authority with the consent of a majority in interest of a quorum of its stockholders at a regular or called meeting thereof, may give its consent to the levying of said tax and agree to pay the same as herein provided, and to waive and release all rights under the act of Congress, or under charters granted by the Legislature of this Commonwealth to a different mode or smaller rate of taxation; which consent and agreement to and with the Commonwealth of Kentucky shall be evidenced by a writing under the seal of the corporation and delivered to the Governor of this Commonwealth, and upon such agreement and consent being given, and in consideration thereof, such corporation and its shares of stock shall be exempt from all other taxation whatever so long as such tax shall be paid.

§ 5. The said banks, institutions and corporations may take the proceedings authorized by the second section of this article at any time until the meeting of the next General Assembly *Provided*, They pay the tax provided in section 1 of this article from and after the passage of this act.

§ 6. This act shall be subject to the provisions of section eight (8), of chapter sixty-eight (68), of the General Statutes.

§ 7. Nothing herein contained shall be construed as exempting from taxation for county or municipal purposes any real estate or building owned and used for conducting their business, but the same may be taxed for county and municipal purposes at the same rate as other real estate is.

§ 8. If any bank, State or National, shall refuse or fail to pay the tax imposed by this act, or shall fail or refuse to make and give the consent and agreement as prescribed in section four (4), the shares of stock of such bank, institution or corporation, and its surplus, undivided accumulations and undivided profits shall be assessed as directed by section 2 of this article, and the same taxes, State, county and municipal, shall be imposed, levied and collected upon the assessed shares, surplus, undivided profits, undivided accumulations as is imposed on the assessed taxable property in the hands of individuals.

And the question being taken on the adoption of said amendment as a substitute, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	L. W. McKee,
A. S. Berry,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett—16.
Henry Dixon,		

Those who voted in the negative, were—

S. H. Boles,	John Feland,	J. N. Price,
R. A. Burnett,	G. G. Gilbert,	J. T. Simon,
W. W. Bush,	L. M. Martin,	Robert Walker,
C. M. Clay, Jr.,	W. F. Neat,	J. H. Wilson—14.
F. M. Clement,	J. W. Ogilvie,	

The question was then taken on the adoption of said article second, as amended by Mr. J. R. W. Smith's substitute, and it was decided in the negative by the casting vote of Hon. James R. Hindman, Lieutenant-Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Gilbert and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett—14.
W. H. Frederick,	L. W. McKee,	

Those who voted in the negative, were—

A. S. Berry,	F. M. Clement,	J. W. Ogilvie,
S H. Boles,	John Feland,	J. N. Price,
R. A. Burnett,	G. G. Gilbert,	J. H. Wilson,
W. W. Bush,	L. M. Martin,	J. R. Hindman—14.
C. M. Clay, Jr.,	W. F. Neat,	

Mr. Feland proposed the following amendment as a substitute for said article, viz:

§ 1. That shares of stock in State and National banks, and in other institutions of loan or discount, and in all corporations required by law to be taxed on their capital stock shall be taxed ———— cents on each share thereof, equal to $100 of stock therein owned by individuals, corporations or societies.

§ 2. The cashier of a bank and treasurer of any other institution or corporation whose stock is taxed, shall, on the first day of July in each year, report to the Auditor of Public Accounts the true amount of the capital stock, and also what part thereof consists of real estate and tangible personal property, and where it is situated; also the names and residences of each of the stockholders and the amount of the stock so owned by each, and pay into the Treasury the amount of tax due on said stock as provided in the foregoing section. If such tax be not paid,

the cashier and his sureties shall be liable for the same and 20 per cent. upon the amount, and any State bank, institution or corporation shall thereby forfeit the privilege of its charter. The officer making the report shall attach thereto his affidavit of the correctness thereof.

§ 3. That portion of the stock of any such bank or other institution consisting of real property and tangible personal property shall be subject to county, municipal and other local taxation where situated, and at the valuation reported to the Auditor, and shall be subject to exactly such taxation for these purposes as other like properly similarly situated.

§ 4. The ——— or *pro rata* of the stock not represented by such real estate or tangible personal property shall be subject to such local taxation as follows, viz: The bank or other institution shall pay the tax due on all stock owned by non-residents of the State at the place where the bank is located, and the individual owners of stock who are residents of the State shall pay the tax due on their respective shares of stock when they list such stock for the purposes of local taxation; it shall be valued at its face value less the *pro rata* thereof embraced in real estate or tangible personal property, and shall be subject to the same rate of taxation and for the same purposes that other property is subject to at the place where it is paid.

§ 5. In order to collect the local taxes above provided for the Auditor of Public Accounts shall, on or before the first day of September of each year, make out and send to each County Clerk in the State a list of all the real estate and tangible personal property owned by any bank in the county, and the valuation put thereon by the officer reporting the same to him, and also all stock owned in the county, the number of shares owned by each person, and the *pro rata* thereof not embraced in said real estate and personal property, and also the number of shares of stock in any bank situated in the county owned by non-residents of the State of Kentucky.

§ 6. This statement shall be preserved by such County Clerk, and by it the Sheriff or other collecting officers of the counties, municipalities or other localities where such taxes are due shall collect and account for same in the same manner and when they collect and account for other such taxes.

Mr. Burnett moved to amend said proposed substitute as follows, viz:

Amend by striking out the word "face" before value, and inserting in lieu thereof the word "actual."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Simon, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	Henry Dixon,	J. W. Ogilvie,
R. A. Burnett,	G. G. Gilbert,	J. T. Simon,
W. W. Bush,	S. E. Hill,	W. H. Taulbee,
C. M. Clay, Jr.,	H. T. Kendall,	Robert Walker,
F. M Clement,	L. M. Martin,	J. H. Wilson—17.
W. M. Cravens,	W. F. Neat,	

Those who voted in the negative, were—

M. C. Alford,	John Feland,	J. H. McDanell,
A. S. Berry,	W. H. Frederick,	J. N. Price,
J. W. Bryan,	T. S. Grundy,	J. R. W. Smith,
W. J. Caudill,	R. G. Hays,	R. S. Triplett—12.

The question was then taken on the adoption of the amendment proposed as a substitute by Mr. Feland, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boles and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	H. T. Kendall,	W. H. Taulbee,
R. A. Burnett,	W. F. Neat,	Robert Walker,
W. W. Bush,	J. W. Ogilvie,	J. H. Wilson—11.
F. M. Clement,	J. T. Simon,	

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	S. E. Hill,
A. S. Berry,	John Feland,	L. M. Martin.
J. W. Bryan,	W. H. Frederick,	J. H. McDanell,
W. J. Caudill,	G. G. Gilbert,	J. N. Price,
C. M. Clay, Jr.,	T. S. Grundy,	J. R. W. Smith,
W. M. Cravens,	R. G. Hays,	R. S. Triplett—18.

Mr. Wilson moved to reconsider the vote by which the Senate refused to adopt said article 2, as amended by Mr. J. R. W. Smith's amendment adopted as a substitute therefor.

Mr. Martin moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	John Feland,	J. W. Ogilvie,
R. A. Burnett,	G. G. Gilbert,	J. N. Price,
W. W. Bush,	S. E. Hill,	J. T. Simon,
C. M. Clay, Jr.,	L. M. Martin,	Robert Walker—14.
F. M. Clement,	W. F. Neat,	

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	J. R. W. Smith,
A. S. Berry,	R. G. Hays,	W. H. Taulbee,
J. W. Bryan,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	J. H. McDanell,	J. H. Wilson—13.
W. H. Frederick,		

Mr. Burnett moved the following amendment as a substitute for said article, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, Stock and shares of stock in State and National banks and other institutions of loan or discount, and in all corporations required by law to be taxed on their capital stock, and other property and all real estate owned by the said banks and other institutions not included as part of their capital stock, shall be taxed according to its real value at the same rate as real estate, which shall be in full of all State tax. For the purpose of ascertaining such value the Auditor may, at his option, investigate the books of such bank or institution; and any officer having in charge the affairs of such bank or institution, who shall refuse when duly called upon for the purpose, to allow his books to be investigated, shall be subject to indictment in the Franklin Circuit Court, or the Circuit Court of the county wherein said bank or institution shall be located, and upon conviction shall be fined not less than five hundred dollars and not more than one thousand dollars. The Commonwealth may, in the county wherein said bank or institution is located, institute an action in any court having civil common law jurisdiction of the amount involved for the recovery of such fine.

§ 2. The cashier of a bank and the treasurer of any other institution whose stock is taxed, shall, on the first day of July of each year, report the true cash value of said stock, other property and all real estate owned by the said bank or other institution not included as part of that capital stock, and pay into the Treasury the amount of the tax due. If such tax be not paid, the cashier and his sureties shall be liable for the same, and twenty per cent. upon the amount; and any State bank or corporation shall thereby forfeit the privilege of its charter.

§ 3. At the same time the officers named in the last preceding section, shall forward to the Auditor of Public Accounts the following oath or affirmation, which they shall take before some person authorized to administer an oath: I, ————, swear (or affirm) that I have reported the stock in the ————, other property and all real estate owned by the said ————, not included as part of the capital stock at its true cash value, according to my best judgment.

Mr. Gilbert moved to amend said proposed substitute as follows, viz:

But nothing in this act shall be understood to prevent counties and cities and towns from taxing the property of banks for local purposes at a rate not exceeding the rate imposed on other personal property in such county, city or town.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Price, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	S. E. Hill,	J. N. Price,
J. W. Bryan,	L. M. Martin,	J. T. Simon,
C. M. Clay, Jr.,	J. H. McDanell,	D. H. Smith,
G. G. Gilbert,	W. F. Neat,	Robert Walker—14.
T. S. Grundy,	J. W. Ogilvie,	

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	L. W. McKee,
A. S. Berry,	John Feland,	J. R. W. Smith,
W. W. Bush,	W. H. Frederick,	W. H. Taulbee,
W. J. Caudill,	R. G. Hays,	R. S. Triplett,
W. M. Cravens,	H. T. Kendall,	J. H. Wilson—16.
F. M. Clement,		

The question was then taken on the adoption of the amendment proposed by Mr. Burnett as a substitute for said article, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. F. Neat,	W. H. Taulbee,
S. H. Boles,	J. W. Ogilvie,	Robert Walker,
R. A. Burnett,	J. T. Simon,	J. H. Wilson—10.
H. T. Kendall,		

Those who voted in the negative, were—

M. C. Alford,	John Feland,	L. M. Martin,
J. W. Bryan,	W. H. Frederick,	J. H. McDanell,
W. W. Bush,	G. G. Gilbert,	L. W. McKee,
W. J. Caudill,	T. S. Grundy,	J. N. Price,
C. M. Clay, Jr.,	R. G. Hays,	J. R. W. Smith,
W. M. Cravens,	S. E. Hill,	R. S. Triplett—19.
Henry Dixon,		

Mr. Feland moved to reconsider the vote by which the Senate rejected the amendment, as amended, proposed by him as a substitute for said article.

Mr. Bryan moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Bush, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. H. McDanell,
J. W. Bryan,	G. G. Gilbert,	L. W. McKee,
W. J. Caudill,	T. S. Grundy,	J. T. Simon,
C. M. Clay, Jr.,	R. G. Hays,	J. R. W. Smith,
W. M. Cravens,	S. E. Hill,	R. S. Triplett—17.
Henry Dixon,	L. M. Martin,	

Those who voted in the negative, were—

A. S. Berry,	John Feland,	J. N. Price,
S. H. Boles,	H. T. Kendall,	W. H. Taulbee,
R. A. Burnett,	W. F. Neat,	Robert Walker,
W. W. Bush,	J. W. Ogilvie,	J. H. Wilson—13.
F. M. Clement,		

Mr. Boles moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles, H. T. Kendall, J. R. W. Smith,
John Feland, J. W. Ogilvie, Robert Walker—6.

Those who voted in the negative, were—

M. C. Alford, G. G. Gilbert, W. F. Neat,
A. S. Berry, T. S. Grundy, J. N. Price,
J. W. Bryan, S. E. Hill, J. T. Simon,
W. J. Caudill, L. M. Martin, D. H. Smith,
C. M. Clay, Jr., J. H. McDanell, W. H. Taulbee,
F. M. Clement, L. W. McKee, J. H. Wilson—19.
W. H. Frederick,

Mr. Bryan proposed to amend said article as follows, viz:

§ 1. Amend article 2 by striking out of section 1, line 3, "75," and inserting "70."

§ 2. Amend line 9 of said section by striking out the word "10," and inserting "20."

§ 3. Amend section 6 by inserting, after the word "shall," in first line, the words "not for ten years."

Mr. Bryan moved a division of the question on said amendment.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the first section of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Feland, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, Henry Dixon, L. M. Martin,
J. W. Bryan, W. H. Frederick, J. H. McDanell,
W. J. Caudill, T. S. Grundy, L. W. McKee,
C. M. Clay, Jr., R. G. Hays, J. R. W. Smith,
W. M. Cravens, S. E. Hill, R. S. Triplett—15

Those who voted in the negative, were—

A. S. Berry,	G. G. Gilbert,	J. T. Simon,
S. H. Boles,	H. T. Kendall,	D. H. Smith,
R. A. Burnett,	W. F. Neat,	W. H. Taulbee,
W. W. Bush,	J. W. Ogilvie,	Robert Walker,
F. M. Clement,	J. N. Price,	J. H. Wilson—16.
John Feland,		

Mr. Feland moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Simon and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	John Feland,	J. W. Ogilvie,
R. A. Burnett,	G. G. Gilbert,	D. H. Smith,
W. W. Bush,	H. T. Kendall,	Robert Walker,
F. M. Clement,	W. F. Neat,	J. H. Wilson—12.

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	L. W. McKee,
A. S. Berry,	T. S. Grundy,	J. N. Price,
J. W. Bryan,	R. G. Hays,	J. T. Simon,
W. J. Caudill,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett—19.
Henry Dixon,		

Mr. D. H. Smith moved that the further consideration of said bill and proposed amendments be postponed until to-morrow, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

Mr. Wilson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Simon moved that the session of the Senate be extended until the article under consideration was disposed of.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bush and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	L. W. McKee,
J. W. Bryan,	S. E. Hill,	J. N. Price,
W. J. Caudill,	L. M. Martin,	J. T. Simon,
C. M. Clay, Jr.,	J. H. McDanell,	R. S. Triplett—13.
Henry Dixon,		

Those who voted in the negative, were—

A. S. Berry,	John Feland,	J. W. Ogilvie,
S. H. Boles,	W. H. Frederick,	D. H. Smith,
R. A. Burnett,	G. G. Gilbert,	J. R. W. Smith,
W. W. Bush,	R. G. Hays,	W. H. Taulbee,
F. M. Clement,	H. T. Kendall,	Robert Walker,
W. M. Cravens,	W. F. Neat,	J. H. Wilson—18.

Mr. Clay moved the previous question.

Mr. D. H. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	John Feland,	J. W. Ogilvie,
S. H. Boles,	G. G. Gilbert,	D. H. Smith,
R. A. Burnett,	T. S. Grundy,	J. R. W. Smith,
W. W. Bush,	R. G. Hays,	W. H. Taulbee,
F. M. Clement,	H. T. Kendall,	Robert Walker,
W. M. Cravens,	W. F. Neat,	J. H. Wilson—18.

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	L. W. McKee,
J. W. Bryan,	S. E. Hill,	J. N. Price,
W. J. Caudill,	L. M. Martin,	J. T. Simon,
C. M. Clay, Jr.,	J. H. McDanell,	R. S. Triplett—13.
Henry Dixon,		

A message was received from the House of Representatives, announcing that they had received official information that the

Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act incorporating the Paint Lick, Walnut Meadow and Big Hill Turnpike Road, in Madison county.

An act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors within two miles of Zion Baptist Church, of Henderson county."

An act to amend the charter of the Hancock Stock and Fence Law Company.

An act to amend the charter of the city of Dayton.

An act to change the line between Blue Ball and Pincheon precincts, in Clark county.

An act to amend an act, entitled "An act to incorporate the Great Western Lumber, Mining and Manufacturing Company," approved April 24, 1882, and all acts amendatory thereto.

An act to declare the Clear Fork of Cumberland river, a lawful fence from mouth of Elk creek to State line, in Whitley county.

An act to amend an act, entitled "An act to amend and reduce into one all the acts and laws in relation to the town of Trenton, in Todd county," approved March, 1886.

An act to prohibit the sale of spirituous, vinous and malt liquors within one and one-half miles of Zion Church, on the Hartford road, in Daviess county.

An act to authorize Timothy Rowe to erect a mill-dam across the Little Sandy river, in Elliott county.

An act to amend the charter of the Homestead Building Association.

An act to amend an act, entitled "An act to prevent the sale of spirituous, vinous or malt liquors, or any mixture thereof, within one and a half miles of Hinton Station, in Scott county," approved April 6, 1880.

That they had passed a bill, entitled

An act to amend chapter 2, title 9, of the Civil Code of Practice, by repealing certain portions thereof.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said

bill being dispensed with, said bill was referred to the Committee on Codes of Practice.

And then the Senate adjourned.

FRIDAY, APRIL 30, 1886.

The reading of the Journal of yesterday was dispensed with.

Mr. Feland, from the special joint committee appointed to investigate the expenditure of moneys appropriated for the continuation of the Geological Survey and Bureau of Immigration, also the expenditure of moneys appropriated in aid of exhibits at the Expositions at New Orleans and Louisville, presented the majority report of said committee.

Said report was taken up and read as follows, viz:

To the General Assembly of the Commonwealth of Kentucky:

Your joint committee, heretofore appointed with instructions to investigate the book of accounts of the State Geologist, concerning the expenditures of the $34,200 appropriated by an act approved April 19, 1884, for the continuation of the Geological, Topographical and Agricultural Surveys of the State, and the Bureau of Immigration, and to report "whether all of said appropriation has been consumed, and if so, how and in what manner and for what purposes," and with instructions, also, to investigate the management by the State Commissioners of the State exhibits at the Louisville and New Orleans Expositions, and the expenditure of the fund of $12,500, appropriated therefor by an act approved May 12, 1884, respectfully report as follows:

I.

As to said $34,200—

They find on file in the Auditor's office the original vouchers, upon which warrants were issued against said fund. Said vouchers contain an itemized statement of all services for which said fund was expended. Your committee has not found the time to examine all of these vouchers in detail. It would require weeks of continuous labor to make such an examination. They have, however, examined a number of the same, taken at random, and have found therein no expenditure not authorized by the act above referred to, and they believe that said fund has been expended by the officer having the same in charge wisely and judiciously, and for the best interests of the State.

Your committee finds that $1,460.64 of said appropriation has not yet been expended.

II.

As to the exhibits at the Louisville and New Orleans Expositions—

Your committee has taken voluminous evidence concerning the management of said exhibits and the expenditure of the fund appropriated therefor. Said evidence was reduced to writing, covers nearly two hundred pages and is filed herewith as a part hereof.

They find that the whole of the fund appropriated for said exhibits has been expended; and, notwithstanding the persistent effort of one of the Commissioners to make it appear that the State Geologist, as Chairman of the Board of Commissioners, has been guilty of extravagant and wrongful expenditure of said fund, your committee is convinced that all of the same was expended for what was believed to be for the best interests of the State.

They are constrained to report, however, that said Commissioners were guilty of a technical violation of said act, approved May 12, 1884, in this, to wit: Said act provides that "not exceeding $10,000 of said sum is to be used and expended in

the collection and exhibition of the agricultural and mineral products, and cattle and other stock of the State of Kentucky at said Exposition at Louisville, Kentucky." Your committee finds that there was no display made of "cattle or other stock" at said Exposition, but that in lieu thereof photographs were made showing to the best advantage the live stock, agricultural, timber and mineral interests of the State.

This was done by and with the approval of all the Commissioners having the matter in charge; and while, as aforesaid, it was a technical violation of the law, your committee believes that the benefits resulting to the State therefrom have been, and will continue to be, greater than if the law had been literally complied with, as the appropriation was too small to have enabled the Commissioners to make any thing like a creditable display of actual live stock, and for the further reason that the photographs have already been extensively used, and will continue to be used, for the purpose of illustrating articles on the resources of Kentucky, some of which have appeared, and others being now in course of preparation, in such papers as Harper's Monthly, The Century, and other magazines having a circulation all over the world.

Your committee finds further that said appropriation of $12,500 has been exceeded to an amount of about $2,500, and for this excess they believe that the State Geologist, as Chairman of the Board of Commissioners, was responsible; but they are convinced that his action in this regard was due to the fact that he believed, and had good ground to believe, that a large part of the $5,000 donated by the United States Government to the New Orleans Exposition for each State making an exhibit would be expended in defraying the expense of the State exhibits, and that in this he was disappointed, as only about $500 of said appropriation was so expended. For the expenditure of said $5,000, said State Commissioners are in no manner responsible, as the same was wholly controlled by the United States Commissioner, Judge George G. Perkins, who was appointed by the President of the United States.

Your committee would not be understood as casting any reflection upon Judge George G. Perkins in his management of said fund, but refer thereto simply because there seems to be an

idea prevailing that the State Commissioners had the control thereof, and are responsible therefor.

Respectfully submitted,

JOHN FELAND,
W. J. CAUDILL,
P. A. CLINE,
Chairman House Committee.
JNO. B. LITSEY,
WRIGHT KELLY,
J. F. BULLITT, JR.,
S. L. BAYSE,
FARISH ARNETT.

On motion of Mr. Boles,

Ordered, That the further consideration of said report be postponed, and that said report be made the special order of the day for Wednesday, May 5th, at 10:30 o'clock A. M., and from day to day until disposed of.

Mr. Boles moved that the rules be suspended to permit the Committee on General Statutes to report a joint resolution which originated in the House of Representatives, entitled

Resolution fixing a day of final adjournment of the present General Assembly.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	L. M. Martin,
J. W. Bryan,	G. G. Gilbert,	J. H. McDanell,
W. J. Caudill,	T. S. Grundy,	W. F. Neat,
C. M. Clay, Jr.,	S. E. Hill,	J. T. Simon,
John Feland,	H. T. Kendall,	J. R. W. Smith—15.

Those who voted in the negative, were—

M. C. Alford,	R. G. Hays,	D. H. Smith,
A. S. Berry,	L. W. McKee,	W. H. Taulbee,
W. W. Bush,	J. W. Ogilvie,	R. S. Triplett,
F. M. Clement,	J. N. Price,	J. H. Wilson—13.
Henry Dixon,		

Mr. Bush read and laid on the table a joint resolution, entitled

Resolution to ascertain the amount of unfinished business before the General Assembly.

Which resolution, under the rule of the Senate, lies over one day.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee composed of two members of the Senate and three from the House, to be appointed by the Speakers thereof, whose duty it shall be to report on next Monday the number of local and general bills in the hands of committees and in the hands of the clerks undisposed of.

Mr. J. R. W. Smith moved that the rules be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the negative.

Mr. Hays moved the following resolution, viz:

Resolved by the Senate, That from and after this day, after the reading of the Journal, the order of business shall be an alphabetical call of the Senate roll; each Senator answering to his name shall be allowed to report for passage two local bills, which call shall last until some special order is reached; which order of business shall continue from day to day, commencing each day where the call stopped the day before.

Mr. Ogilvie moved the following amendment to said resolution as a substitute therefor, viz:

Resolved, That hereafter the Senate shall hold extra sessions from 4 o'clock P. M., till 5:30 o'clock P. M. on Tuesdays, Wednesdays, Thursdays, and at such sessions local bills only shall be considered.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hays and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. M. Cravens,	J. H. McDanell,
S. H. Boles,	Henry Dixon,	W. F. Neat,
J. W. Bryan,	John Feland,	J. W. Ogilvie,
R. A. Burnett,	W. H. Frederick,	J. N. Price,
W. W. Bush,	G. G. Gilbert,	J. T. Simon,
W. J. Caudill,	T. S. Grundy,	J. R. W. Smith,
C. M. Clay, Jr.,	S. E. Hill,	W. H. Taulbee,
F. M. Clement,	H. T. Kendall,	R. S. Triplett—24.

Those who voted in the negative, were—

R. G. Hays, J. H. Wilson—2.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, April 30, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

F. W. Darby for the county of Caldwell.
David J. Morrison for the county of Hancock.
Peter Kingery for the county of Monroe.
John McCann for the county of Jefferson.
C. M. Holbrook for the county of Lawrence.
J. W. Mayo for the county of Floyd.
A. J. Hacker for the county of Clay.
O. J. Owen Brewster for the county of Jefferson.
J. M. Bailey for the county of Knott.
J. H. Stovall for the county of Ballard.
M. A. Walker for the county of Jefferson.
J. W. Richardson for the county of Pulaski.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Berry presented the petition of the Kentucky Manufacturing Establishment for the Blind, praying for a hearing of its claim by the Senate.

Which was received and read.

Ordered, That the further consideration of said petition be postponed, and that said petition be made the special order of the day for Wednesday, May 5, 1885, at 10:45 o'clock A. M., and from day to day until disposed of.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to establish a system of public graded schools in the city of Mt. Sterling," approved April 15, 1884.

An act to incorporate the National Railroad Agents' Association.

An act for the benefit of J. M. Baker, of Knott county.

An act authorizing the Board of Councilmen of Newport, Kentucky, when sitting as a court, to compel the attendance of witnesses and the giving in of testimony.

An act to amend an act, entitled "An act to amend an act incorporating the town of Munfordville, in Hart county," approved May 12, 1884.

An act authorizing the city of Newport to issue bonds for refunding bonds issued under an act authorizing the city of Newport to issue bonds for certain purposes, approved February 12, 1880.

An act to incorporate the Southern Contract Company.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to prohibit the sale of intoxicating liquors in Caldwell county, and to vote on same.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to add Magoffin county, now in the Sixteenth Judicial

District, to the Thirteenth Judicial District, and fix the time for holding the Circuit Courts therein.

An act changing and defining the corporate limits of the town of Scottsville, in Allen county.

An act for the benefit of Cary Chandler, of Adair county.

An act to amend an act to incorporate the Wingo High School Company, approved May 1, 1884.

An act to incorporate the Hartford Mutual Insurance Company, of Hartford, Kentucky.

An act fixing the boundary and for the benefit of the school district No. 67, in Fleming county.

That they had passed bills of the following titles, viz:

1. An act to authorize J. D. Atchison, Judge of the Daviess County Court, to act as executor, trustee and guardian in certain cases.

2. An act to regulate the sale of spirituous, vinous or malt liquors in the county of Warren.

3. An act to increase the jurisdiction of Justices of the Peace in certain cases, in Caldwell county.

4. An act for the benefit of turnpike roads in Nicholas county.

5. An act to amend an act, entitled "An act to amend section 20, chapter 42, of the General Statutes, title 'Ferries,' so far as the same applies to Warren county," approved March 23, 1886.

6. An act to incorporate the Kentucky Midland Railroad Company.

7. An act to amend section 11, of article 1, of an act to amend an act and reduce into one the several acts in regard to the city of Lebanon, approved March 3, 1884.

8. An act to repeal an act, entitled "An act to incorporate the town of Harmony, in Owen county," and all acts amendatory thereof.

9. An act to incorporate the town of Mackville, in Washington county.

10. An act to repeal section 4, of an act to amend an act, entitled "An act amending and reducing into one the several acts relating to the town of Scottville," approved February 28, 1860, and the amendments thereto, which act was approved April 2, 1884.

11. An act to incorporate the Kentucky Life and Accident Insurance Company.

12. An act to amend an act to incorporate the Murphysville Turnpike Road Company, of Mason county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Courts of Justice; the 2d to the Committee on Religion and Morals; the 3d to the Committee on Privileges and Elections; the 4th and 12th to the Committee on the Judiciary; the 5th to the Committee on General Statutes; the 6th to the Committee on Railroads; the 7th, 8th, 9th and 10th to the Committee on Agriculture and Manufactures, and the 11th to the Committee on Banks and Insurance.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to permit defendants in all penal and criminal prosecutions to testify;

An act to incorporate the Blakeman Mills and Buckeye Turnpike Road Company, in Madison and Garrard counties;

An act to amend an act, entitled "An act to incorporate the town of Flemingsburg, Fleming county, Kentucky," approved April 29, 1880;

An act to incorporate the Grand Lodge of the Independent Order of Knights of Honor, colored, of the United States, at Lexington;

An act authorizing the Carter County Court to levy and collect a poll or capitation tax of not exceeding one dollar on each male person over the age of twenty-one years, and an ad valorem tax of not exceeding ten cents on each one hundred dollars of taxable property in said county each year, to pay the ordinary expenses of said county each year;

An act to amend the charter of the town of Gratz, in Owen county;

An act to amend an act, entitled "An act to amend the charter of the city of Covington," approved March 11, 1886;

An act to charter the Supreme Lodge, Colored Brotherhood of Honor;

An act to amend an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1876, and all acts amendatory thereto, so far as the same applies to the counties of Warren, Edmonson and Butler;

An act to incorporate the Stony Run and Ford Turnpike Road Company;

Resolution directing the removal of the remains of Lieut.-Col. Ezekiel Fields, and their interment in the State lot in the cemetery at Frankfort;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to establish the Nineteenth Circuit Court District, composed of the counties of Estill, Powell, Lee, Clay, Perry, Letcher, Knott, Breathitt and Wolfe, and provide for the terms of courts to be held in same;

An act to incorporate the Pendleton Natural Gas and Fuel Company;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Bills of the following titles were reported from the several committees who were directed to bring in the same, viz:

By Mr. Price, from the Committee on Claims—

A bill to amend an act to incorporate the Tygart Valley Iron Company, approved March 25, 1872.

By Mr. Simon, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to provide for the payment of debts contracted in building and furnishing a

school-house, and for maintaining a school in district No. 1, in Pendleton county."

By same—

A bill to establish a school at Falmouth, Kentucky, with graded classes, employing the property and revenues of common school district No. 1, of Pendleton county, and of the Pendleton Academy.

By Mr. D. H. Smith, from the Committee on General Statutes—

A bill to amend an act, entitled "An act to incorporate the town of Pleasureville, *alias* North Pleasureville, in Henry county."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on the Judiciary—

An act to reduce the number of magisterial districts in Spencer county.

By same—

An act to incorporate the Little Mount Cemetery Company, in Spencer county.

By Mr. Berry, from the Committee on Education—

An act to amend the charter of the city of Dayton, in Campbell county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bill, viz:

On motion of Mr. McDanell—

A bill to change the county line between the counties of Gallatin and Grant.

Ordered, That the Committee on Propositions and Grievances prepare and bring in said bill.

The Senate took up for consideration a bill, entitled

An act to declare void certain endorsements heretofore erroneously made on certain warrants on file in the Land Office, and to authorize patents to be issued on said certificates of survey.

Ordered, That said bill be engrossed and read a third time.

Pending the consideration of said bill, Mr. Simon moved that the special order of the day be postponed until said bill was disposed of.

And the question being taken thereon, it was decided in the negative.

The Senate, according to order, took up for consideration article 2, of a bill, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

[*For bill, see Senate Journal of April 21st.*]

Article 2 being under consideration.

The question pending being on the motion made on yesterday by Mr. Clay for the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were--

J. W. Bryan,	S. E. Hill,	J. N. Price,
C. M. Clay, Jr.,	L. M. Martin,	J. T. Simon—6.

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	W. F. Neat,
S. H. Boles,	John Feland,	J. W. Ogilvie,
R. A. Burnett,	W. H. Frederick,	D. H. Smith,
W. W. Bush,	T. S. Grundy,	J. R. W. Smith,
W. J. Caudill,	R. G. Hays,	W. H. Taulbee,
F. M. Clement,	H. T. Kendall,	R. S. Triplett,
W. M. Cravens,	J. H. McDanell,	J. H. Wilson—21.

Mr. J. R. W. Smith moved the following amendment as a substitute for said article, viz:

§ 1. That shares of stock in State and National banks and other institutions of loan or discount, and in all corporations required by law to be taxed on their capital stock shall be taxed 50 cents on each share thereof equal to $100, or on each $100 of stock therein owned by individuals, corporations or societies, and said banks, institutions and corporations shall, in addition, pay on each $100 of so much of their surplus, undivided profits or undivided accumulations as exceeds an amount equal to 15 per cent. of their capital stock, the same rate of taxation that is paid upon other property.

§ 2. The cashier of a bank and the treasurer of any other institution or corporation whose stock is taxed shall, on the first day of July in each year, report to the Auditor of Public Accounts the true amount of the capital stock, the true amount of surplus, undivided profits or undivided accumulations, and pay into the Treasury the amount of tax due. The officer making the report shall affix his affidavit in substance as follows: I, ———, swear (or affirm) that I am the ———— of ————, and that I have in the foregoing report truly and accurately reported the amount of the capital stock and the amount of the surplus, undivided profits or undivided accumulations of said ————. If such tax be not paid within twenty days after the first day of July, the Auditor of Public Accounts may, in the name of the Commonwealth of Kentucky, institute an action in the Franklin Circuit Court, or in the court of any county where such bank, institution or corporation is located for the recovery of the same, and if in such action a recovery be had judgment shall be rendered for the amount of the tax and ten per cent. thereon. If the cashier, treasurer or other officer fails to make the report as in this section provided, it shall be the duty of the Auditor of Public Accounts to assess such bank, institution or corporation, and if such tax be not paid, the same may be recovered as herein provided.

§ 3. If any such bank, institution or corporation, on the first day of July, in any year has invested in the bonds or funds of the United States, which are by law exempt from taxation, more of its surplus, undivided profits or undivided accumulations than an amount equal to twenty per cent. of its capital stock, the excess of the amount so invested over the amount equal to twenty per cent. of such capital stock shall be exempt from taxation for that year: *Provided*, Such investment or investments were made in good faith and not for the purpose of avoiding taxation. The officer who makes the report provided for in this article shall also state in his affidavit that such investments, if any, were made in good faith and not for the purpose of avoiding taxation.

§ 4. That each of said banks, institutions or corporations, by

its proper corporate authority with the consent of a majority in interest of a quorum of its stockholders at a regular or called meeting thereof, may give its consent to the levying of said tax and agree to pay the same as herein provided, and to waive and release all rights under the acts of Congress, or under charters granted by the Legislature of this Commonwealth to a different mode or smaller rate of taxation; which consent and agreement to and with the Commonwealth of Kentucky shall be evidenced by a writing under the seal of the corporation and delivered to the Governor of this Commonwealth, and upon such agreement and consent being given, and in consideration thereof, such corporations and its shares of stock shall be exempt from all other taxation whatever so long as such tax shall be paid.

§ 5. The said banks, institutions and corporations may take the proceedings authorized by the fourth section of this act at any time until the meeting of the next General Assembly: *Provided*, They pay the tax provided in section 1 of this article from and after the passage of this act.

§ 6. This act shall be subject to the provisions of section eight (8), of chapter sixty-eight (68), of the General Statutes.

§ 7. Nothing herein contained shall be construed as exempting from taxation for county or municipal purposes any real estate or building owned or used for conducting their business, but the same may be taxed for county and municipal purposes at the same rate as other real estate is taxed.

§ 8. If any bank, State or National, shall refuse or fail to pay the tax imposed by this article, or shall fail or refuse to make and give the consent and agreement as prescribed in section four (4), the shares of stock in such bank, institution or corporation, and its surplus, undivided accumulations and undivided profits shall be assessed as directed by section 2 of this article, and the same taxes, State, county and municipal, shall be imposed, levied and collected upon the assessed shares, surplus, undivided profits, undivided accumulations as is imposed on the assessed taxable property in the hands of individuals.

Mr. Caudill moved to amend said proposed substitute as follows, viz:

Amend by striking from the twenty-first line of section 1 thereof the word "fifteen," and inserting in lieu thereof the word "twenty."

And the question being taken thereon, it was decided in the affirmative.

Mr. D. H. Smith moved to amend said proposed substitute as follows, viz:

Amend by striking from the eighth line of section 1 thereof the words "fifty cents," and inserting in lieu thereof the words "seventy cents."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and Feland, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	L. W. McKee,
A. S. Berry,	G. G. Gilbert,	W. F. Neat,
J. W. Bryan,	T. S. Grundy,	D. H. Smith,
W. J. Caudill,	R. G. Hays,	J. R. W. Smith,
C. M. Clay, Jr.,	H. T. Kendall,	W. H. Taulbee,
Henry Dixon,	J. H. McDanell,	R. S. Triplett—18.

Those who voted in the negative, were—

S. H. Boles,	W. M. Cravens,	J. W. Ogilvie,
R. A. Burnett,	John Feland,	J. N. Price,
W. W. Bush,	S. E. Hill,	J. T. Simon,
F. M. Clement,	L. M. Martin,	J. H. Wilson—12.

The question was then taken upon the adoption of said proposed substitute, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and Bush, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	D. H. Smith,
W. J. Caudill,	H. T. Kendall,	J. R. W. Smith,
W. M. Cravens,	J. H. McDanell,	W. H. Taulbee,
Henry Dixon,	L. W. McKee,	R. S. Triplett—16.
W. H. Frederick,		

Those who voted in the negative, were—

S. H. Boles,	F. M. Clement,	W. F. Neat,
J. W. Bryan,	John Feland,	J. W. Ogilvie,
R. A. Burnett,	G. G. Gilbert,	J. N. Price,
W. W. Bush,	S. E. Hill,	J. T. Simon,
C. M. Clay, Jr.,	L. M. Martin,	J. H. Wilson—15.

The question was then taken on the adoption of said article 2, as amended by said substitute, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Gilbert, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	John Feland,	L. W. McKee,
A. S. Berry,	W. H. Frederick,	F. D. Rigney,
J. W. Bryan,	T. S. Grundy,	D. H. Smith,
W. J. Caudill,	R. G. Hays,	J. R. W. Smith,
W. M. Cravens,	H. T. Kendall,	W. H. Taulbee,
Henry Dixon,	J. H. McDanell,	R. S. Triplett—18.

Those who voted in the negative, were—

S. H. Boles,	G. G. Gilbert,	J. N. Price,
R. A. Burnett,	S. E. Hill,	J. T. Simon,
W. W. Bush,	L. M. Martin,	Robert Walker,
C. M. Clay, Jr.,	W. F. Neat,	J. H. Wilson—14.
F. M. Clement,	J. W. Ogilvie,	

Mr. Feland moved to reconsider the vote by which the Senate had adopted said article 2, as amended.

Mr. J. R. W. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	F. D. Rigney,
W. J. Caudill,	H. T. Kendall,	J. R. W. Smith,
Henry Dixon,	J. H. McDanell,	W. H. Taulbee,
W. H. Frederick,	L. W. McKee,	R. S. Triplett—13.
T. S. Grundy,		

Those who voted in the negative, were—

M. C. Alford,	John Feland,	J. N. Price,
S. H. Boles,	G. G. Gilbert,	J. T. Simon,
R. A. Burnett,	S. E. Hill,	D. H. Smith,
W. W. Bush,	L. M. Martin,	Robert Walker,
F. M. Clement,	W. F. Neat,	J. H. Wilson—17.
W. M. Cravens,	J. W. Ogilvie,	

Mr. Gilbert moved to postpone the motion to reconsider the vote by which the Senate adopted article 2, as amended, until the remainder of the bill was disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	J. T. Simon,
R. A. Burnett,	H. T. Kendall,	D. H. Smith,
W. W. Bush,	L. M. Martin,	W. H. Taulbee,
F. M. Clement,	W. F. Neat,	Robert Walker,
W. M. Cravens,	J. W. Ogilvie,	J. H. Wilson—17.
John Feland,	J. N. Price,	

Those who voted in the negative, were—

A. S. Berry,	Henry Dixon,	J. H. McDanell,
S. H Boles,	W. H. Frederick,	L. W. McKee,
J. W. Bryan,	T. S. Grundy,	F. D. Rigney,
W. J. Caudill,	R. G. Hays,	J. R. W. Smith,
C. M. Clay, Jr.,	S. E. Hill,	R. S. Triplett—15.

The Senate then took up for consideration section 1, of article 3.

And the question being taken on the adoption of said section, it was decided in the affirmative.

The question was then taken on the adoption of section 2, of said article, and it was decided in the affirmative.

Mr. Burnett moved the following amendment to section 3, of said article 3, viz:

Amend by inserting, after the word "persons" in the fourth line, the following words, viz: "One of whom shall be a resident of each Superior Court District of this State."

And the question being taken thereon, it was decided in the affirmative.

Mr. Feland moved the following amendment as a substitute for said section 3, of said article 3, viz:

The Governor, Auditor and Treasurer shall constitute a Board of Commissioners, who shall meet annually at the office of the Auditor in Frankfort on the first day of September in each

year; a majority present shall constitute a quorum for the transaction of business, and at said meetings the Auditor shall lay before them the returns made to him under this act, and any schedules and valuations he may have made under the second section of this article, and should the valuations, or any of them, in the judgment of said Board, be either too high or too low they shall correct and equalize the same by a proper increase or decrease thereof. Said Board shall keep a record of their proceedings to be signed by each member present at any meeting, and the said Board is hereby authorized to examine the books and property of any railroad company, to ascertain the value of its property, or to have them examined by any suitable disinterested person to be appointed by them for that purpose. In case of the death, resignation or failure to act of any of said Commissioners, the Governor shall fill the vacancy by another appointment. The Commissioners shall discharge the duties herein required of them without compensation.

Mr. Alford moved to amend said proposed substitute, by adding thereto the following, viz:

And said Board shall be allowed a clerk, to be selected by the Board, and he shall be paid a salary of $1,500 per annum.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Hays, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	H. T. Kendall,	J. T. Simon,
S. H. Boles,	L. M. Martin,	Robert Walker—7.
J. W. Bryan,		

Those who voted in the negative, were—

A. S. Berry,	G. G. Gilbert,	J. N. Price,
R. A. Burnett,	T. S. Grundy,	F. D. Rigney,
W. W. Bush,	R. G. Hays,	D. H. Smith,
W. J. Caudill,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	J. H. McDanell,	W. H. Taulbee,
F. M. Clement,	W. F. Neat,	R. S. Triplett,
W. M. Cravens,	J. W. Ogilvie,	J. H. Wilson—22.
John Feland,		

Mr. Bryan moved to amend said proposed substitute, by adding thereto the following, viz:

Said Board of Commissioners may employ a clerk to do the necessary clerical work. Said clerk to receive a salary of $1,800 per annum.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said proposed substitute, and it was decided in the negative.

The question was then taken on the adoption of said section 3, as amended, and it was decided in the affirmative.

Section 4 of said article was then adopted.

Section 5 of said article was then adopted.

Mr. Alford moved that article 3 be amended, by adding at the beginning thereof as a title the word "railroads."

And the question being taken thereon, it was decided in the affirmative.

The Senate then took up for consideration section 1, of article 4.

Mr. Bush moved the following amendment as a substitute for said section, viz:

Amend section 1, of article 4, by striking out said section, and inserting in lieu thereof the following, viz: "The stocks of turnpike roads and gravel roads charging toll and incorporated, shall pay tax according to the actual cash value of the stock, and the presidents of such roads shall report under oath the value of such stock to the Auditor, and the same shall be subject to local taxes as other property. Such reports by the presidents shall be made on or before July 1st in each year, and the taxes thereon shall be due and payable to the Auditor on the tenth day of October of each year.

And the question being taken on the adoption of said amendment as a substitute for said section, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	John Feland,	J. W. Ogilvie,
S. H. Boles,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	D. H. Smith,
W. W. Bush,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	W. F. Neat,	J. H. Wilson—16.
F. M. Clement,		

85–S

Those who voted in the negative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
J. W. Bryan,	T. S. Grundy,	J. T. Simon,
C. M. Clay, Jr.,	L. M. Martin,	J. R. W. Smith,
W. M. Cravens,	J. H. McDanell,	W. H. Taulbee,
W. H. Frederick,	L. W. McKee,	Robert Walker—15.

The question was then taken on the adoption of said section 1, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Martin, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	F. M. Clement,	D. H. Smith,
W. W. Bush,	John Feland,	W. H. Taulbee,
W. J. Caudill,	W. F. Neat,	J. H. Wilson—9.

Those who voted in the negative, were—

M. C. Alford,	R. G. Hays,	J. N. Price,
A. S. Berry,	S. E. Hill,	F. D. Rigney,
J. W. Bryan,	H. T. Kendall,	J. T. Simon,
C. M. Clay, Jr.,	L. M. Martin,	J. R. W. Smith,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett,
W. H. Frederick,	L. W. McKee,	Robert Walker—19.
T. S. Grundy,		

Mr. Martin moved the following amendment to said article as section 1 thereof, viz:

§ 1. The stock of turnpike roads in this Commonwealth paying dividends, are hereby assessed for taxation at the rate of six per centum per annum upon the net dividend of said roads, to be ascertained by the treasurers or presidents of said roads, and reported on oath to the Auditor by the first day of July; and when said dividend shall be so ascertained by one of the officers aforesaid, the tax shall be paid into the county treasury by the tenth day of October in each year.

Mr. Wilson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Cravens moved to amend the amendment offered by Mr. Martin as section 1 of said article as follows, viz:

Strike out the word "Auditor," in the fifth line, and insert in lieu thereof the words "County Courts," and strike out the words "county treasury," and insert in lieu thereof the words "State Treasury."

And the question being taken thereon, it was decided in the negative.

The question was then taken on the amendment offered by Mr. Martin as section 1 of said article, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and Simon, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	J. N. Price,
C. M. Clay, Jr.,	L. M. Martin,	F. D. Rigney,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett,
W. H. Frederick,	L. W. McKee,	Robert Walker—12.

Those who voted in the negative, were—

R. A. Burnett,	R. G. Hays,	J. T. Simon,
W. W. Bush,	S. E. Hill,	D. H. Smith,
W. J. Caudill,	H. T. Kendall,	J. R. W. Smith,
F. M. Clement,	W. F. Neat,	W. H. Taulbee.
John Feland,	J. W. Ogilvie,	J. H. Wilson—15.

Mr. Bryan moved the following amendment to said article as section 1 thereof, viz:

§ 1. The stock of turnpike roads in this Commonwealth paying dividends are hereby assessed for taxation at the rate of seven per centum upon net dividend of said roads, to be ascertained by the treasurers or presidents of said roads, and reported on oath to the Auditor by the first day of July, and when said dividend shall be so ascertained by one of the officers aforesaid, the tax shall be paid into the Treasury by the tenth day of October in each year.

And the question being taken on the adoption of said amendment as section 1 of said article, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hays and Feland, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	D. H. Smith,
J. W. Bryan,	H. T. Kendall,	J. R. W. Smith,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett,
W. H. Frederick,	J. N. Price,	Robert Walker,
T. S. Grundy,	F. D. Rigney,	J. H Wilson—20.
R. G. Hays,	J. T. Simon,	

Those who voted in the negative, were—

R. A. Burnett,	F. M. Clement,	W. F. Neat,
W. W. Bush,	John Feland,	J. W. Ogilvie—7.
C. M. Clay, Jr.,		

Mr. Martin moved to reconsider the vote by which the Senate adopted said amendment.

Mr. Price moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	L. M. Martin,	R. S. Triplett,
W. M. Cravens,	J. N. Price,	J. H. Wilson,
W. H. Frederick,	F. D. Rigney,	Robert Walker—16.
T. S. Grundy,		

Those who voted in the negative, were—

W. W. Bush,	John Feland,	J. W. Ogilvie,
C. M. Clay, Jr.,	R. G. Hays,	J. R. W. Smith—8.
F. M. Clement,	W. F. Neat,	

Mr. Bush moved that the further consideration of said bill be postponed until Tuesday next, May 4th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	J. N. Price,	W. H. Taulbee,
W. W. Bush,	D. H. Smith,	Robert Walker—7.
John Feland,		

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	J. W. Ogilvie,
J. W. Bryan,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	R. S. Triplett,
C. M. Clay, Jr.,	L. M. Martin,	J. H. Wilson—17.
W. M. Cravens,	W. F. Neat,	

The Senate then took up for consideration section 2 of said article.

Mr. Berry moved to amend said section by adding thereto the following, viz:

This section shall not apply to steam-engines used for extinguishing fires.

Pending the consideration of which, Mr. Berry moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

SATURDAY, MAY 1, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the American Mutual Aid Society.

An act to incorporate the town of Grange City, in Fleming county.

An act to authorize the County Court of Fayette county to issue bonds.

An act to incorporate the Standard Normal University.

An act to protect the health of citizens on the lines of railroads in Grayson county.

An act to legalize the payment of the officers and agents and general expenses of the Householder's Mutual Benefit Association of Kentucky.

That they had passed a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the town of Pleasureville, in Henry county."

That they had passed bills of the following titles, viz:

An act to authorize railroads in the State of Kentucky to change their gauge, to adopt any desired gauge and to alter the same at pleasure.

An act to repeal an act, entitled "An act to establish the line between Breckinridge and Hancock counties."

An act to amend sections 1 and 2, of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Triplett,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act in relation to prohibiting the sale of spirituous, vinous and malt liquors in Union and McLean counties.

After a short time the Clerk reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. J. R. W. Smith moved to reconsider the vote by which the amendment to said bill was adopted.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate:

I have the honor to return herewith a bill, entitled "An act in relation to the town of Canmer, in Hart county," for your further consideration.

The second section of the bill provided that the Police Court of said town shall have exclusive jurisdiction of all misdemeanors committed within the corporate limits of said town, and all fines and penalties recovered for any such misdemeanor or for a violation of any by-law or ordinance of said town, or any money recovered upon any forfeiture of any bail-bond taken in any such case, shall be paid over to the proper authorities of said town for the benefit of the Board of Trustees. I have simply to allude to what appears to my judgment to be the impolicy of vesting in the Police Court of a county town exclusive jurisdiction of a wide range of penal offenses against the general law of the Commonwealth, many of them of a very grave character,

and all of which are elsewhere placed within the cognizance of the Circuit and Criminal Courts; but in addition to this, the bill proposes to confer upon this town privileges and emoluments not accorded to other municipalities of a similar character in the State, and that too, it seems to me, in derogation of the general interests of the Commonwealth. Why fines and forfeitures, accruing to the State for violations of the penal laws, should be given to the inhabitants of any particular locality simply because the crime may have been committed within a specified boundary, I am unable to see.

I am, respectfully,

J. PROCTOR KNOTT.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter all criminal or penal prosecutions for the violation of any by-laws or ordinances of the town of Canmer, in Hart county, Kentucky, or for any misdemeanor committed in said town shall be in the name of the Commonwealth of Kentucky for the benefit of the Board of Trustees of said town.

§ 2. The Police Court of said town shall have the exclusive jurisdiction of all misdemeanors committed within the corporate limits of said town, and all fines and penalties recovered for any such misdemeanor, or for the violation of any by-law or ordinance of said town, or any money recovered upon any forfeiture of any bail-bond taken in any such case shall be paid over to the proper authorities of said town for the benefit of said Board of Trustees.

§ 3. That said town shall cause to be kept in repair at its expense all public streets and highways passing through said town to the corporate limits thereof, and no resident of said town shall be compelled to work on any highway outside of the corporate limits of said town.

§ 4. All laws or parts of laws in conflict herewith are hereby repealed.

§ 5. This act shall take effect and be in force from and after its passage.

On motion of Mr. J. R. W. Smith,

Ordered, That said bill and veto message be referred to the Committee on the Judiciary.

Mr. Hays, from the Committee on Finance, to whom was referred leave to bring in a bill, entitled

A bill to repeal an act, entitled "An act to establish the line between Breckinridge and Hancock counties,"

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was rejected.

Mr. Hays, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Kentucky State Detective Agency,

Reported the same without amendment.

On motion of Mr. Boles,

Ordered, That said bill be recommitted to the Committee on the Judiciary.

A message was received from the House of Representatives asking leave to withdraw from the Senate the announcement of the passage by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Exchange Insurance Company, of Covington, Kentucky.

Which was granted, and the bill delivered to the messenger.

Mr. Hays, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to third a reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Clement, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of R. W. Noel,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

Mr. Dixon moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867, and the several acts amendatory thereto.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was rejected.

The hour of 11 o'clock A. M. having arrived, the Speaker announced the special order of the day, being a bill, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

Mr. Feland moved that the further consideration of said bill be postponed for the day, and that a call of the committees be had.

And the question being taken thereon, it was decided in the negative.

Section 2, of article 4, of said bill being under consideration, Mr. Martin moved to postpone the further consideration of said section until Tuesday next, May 4th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were--

S. H. Boles,	F. M. Clement,	L. M. Martin,
J. W. Bryan,	R. G. Hays,	W. H. Taulbee—6.

Those who voted in the negative, were—

R. A. Burnett,	Henry Dixon,	J. R. W. Smith,
W. W. Bush,	T. S. Grundy,	R. S. Triplett,
W. J. Caudill,	S. E. Hill,	F. T. D. Wallace,
C. M. Clay, Jr.,	W. F. Neat,	J. H. Wilson—12.

The question was then taken on the adoption of the amendment proposed on yesterday by Mr. Berry to said section 2 of said article, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Feland and Triplett, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	Henry Dixon,	F. D. Rigney,
R. A. Burnett,	John Feland,	J. R. W. Smith,
W. W. Bush,	S. E. Hill,	W. H. Taulbee,
W. J. Caudill,	L. M. Martin,	R. S. Triplett,
C. M. Clay, Jr.,	J. W. Ogilvie,	J. H. Wilson—16.
W. M. Cravens,		

Those who voted in the negative, were—

S. H. Boles,	F. M. Clement,	T. S. Grundy—3.

By unanimous consent the rules were suspended, and said bill was taken from the orders of the day.

On motion of Mr. Wilson,

Ordered, That the further consideration of said bill be postponed until Monday next at 11 o'clock A. M.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act to incorporate the American Mutual Benefit Association of Mexican War Veter-

ans," which became a law April 24, 1886, without the Governor's approval,

Reported the same without an expression of opinion.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to incorporate the American Mutual Benefit Association of Mexican War Veterans which became a law without the Governor's approval, April 24, 1886, be, and the same is hereby amended as follows, viz: In the second sentence of the fourth section thereof strike out the word "eleven," and substitute therefor the word "seventeen;" and in the same sentence and section strike out the conjunction "and," which occurs or is used between the names of W. F. McLean, William H. Taulbee and Philip B. Thompson, Sr.

§ 2. The trustees of said American Mutual Benefit Association of Mexican War Veterans may admit to full fellowship and as active members and beneficiaries of said Association and Mexican War Veteran's National Home acceptable soldiers, marines and officers who have served in any army, navy, campaign, cruise or engagement conducted within the limits or jurisdiction of the United States, or from any seaport or harbor within said jurisdiction since the establishment of peaceful relations between Mexico and the United States. The sons and nearest male relatives of the soldiers and marines mentioned in this section may also be admitted to membership, and enjoy like privileges and benefits.

§ 3. In consideration of the distinguished and valuable public services rendered to our common country by the soldiers, officers and marines who served in said war against Mexico and was conducted subsequent to 1846, the trustees of said American Mutual Benefit Association of Mexican War Veterans be, and they are hereby authorized and empowered to give and maintain not exceeding one hundred public musical, dramatic, literary or military entertainments at each or all of which they may award or distribute by lot to the purchasers or holders of tickets of admission to said entertainments respectively a portion of the proceeds arising from the sale of said tickets. Said trustees shall apply the net profits or proceeds arising from each of said entertainments to the payment of purchase money for land, payment of any debt, creation of the permanent fund, erection of the buildings, purchase of stock in said Association, or any of the objects authorized by the act to which this is an amendment.

§ 4. This act shall take effect from its passage.

Mr. J. R. W. Smith moved to lay said bill on the table.

And the question being taken on said motion, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Hays and Clement, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	F. M. Clement,	W. F. Neat,
J. W. Bryan,	John Feland,	J. W. Ogilvie,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
W. W. Bush,	L. M. Martin,	W. H. Taulbee—14.
C. M. Clay, Jr.,	L. W. McKee,	

Those who voted in the negative, were—

W. M. Cravens,	R. G. Hays,	Robert Walker—5.
T. S. Grundy,	R. S. Triplett,	

Mr. Burnett, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend section 5, article 29, chapter 29, of the General Statutes, entitled "Crimes and Punishments,"

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Wilson, from the Committee on Fish Culture, to whom was referred leave to bring in a bill, entitled

A bill to change the title of an act, approved March 15, 1886, entitled "An act to repeal an act, entitled 'An act for the propagation and protection of food-fishes in the waters of the State of Kentucky,'" approved March 20, 1876,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Clay objected to the further reading of said bill on this day.

So the same fell into the orders of the day.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act in reference to the subscriptions by Bourbon county to the capital stock of turnpike roads in said county,

Reported the same with an amendment as a substitute therefor.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act for the benefit of the Frankfort and Iron Works Turnpike Company.

Mr. Clay moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of intoxicating liquors in Caldwell county, and to vote on same;

An act to incorporate the Owensboro Mutual Fire Insurance Company;

An act to amend and reduce into one the several acts in relation to the town of Birmingham, in Marshall county;

And enrolled bills which originated in the Senate of the following titles, viz:

An act changing and defining the corporate limits of the town of Scottsville, in Allen county;

An act for the benefit of Cary Chandler, of Adair county;

An act to amend an act to incorporate the Wingo High School Company, approved May 1, 1884;

An act to amend an act to incorporate Maple Hill Female College, in Grant county, approved March 13, 1886;

An act to add Magoffin county, now in the Sixteenth Judicial District, to the Thirteenth Judicial District, and fix the time for holding the Circuit Courts therein;

An act to amend an act, entitled "An act to incorporate the town of Pleasureville, *alias* North Pleasureville, in Henry county;"

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act fixing and defining the fees of the Jailer of Simpson county in cases of misdemeanor,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill which originated in the Senate, entitled

An act for the benefit of Emily F. Dean, of Magoffin county,

Together with the message of the Governor vetoing the same,

Reported the same with the expression of opinion that the Governor should be sustained in his veto.

[*For bill and veto, see Senate Journal, March 20th.*]

And the question being taken, "Shall the bill pass, the objection of the Governor to the contrary notwithstanding?" it was decided in the negative.

So said bill was rejected.

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act regulating the admission of evidence of disputed handwriting by comparison,

Reported the same without amendment.

Mr. Burnett moved an amendment to said bill.

On motion of Mr. Martin,

Ordered, That the further consideration of said bill and proposed amendment be postponed, and that said bill be made the special order of the day for Tuesday, May 4, 1885, at 10:15 o'clock A. M., and from day to day until disposed of.

By unanimous consent Mr. McKee withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to authorize the voters of Livingston county to vote on the question to remove the county seat, providing for the location of the county seat and building a court-house, jail and clerks' offices of said county seat," approved March 7, 1884.

By unanimous consent, Mr. Hill withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Scoville and Lawrenceburg Turnpike Road Company, in Washington and Anderson counties.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to charter the Henderson, Bowling Green and Somerset Railroad,

Reported the same with an amendment.

Which was adopted.

Mr. Hill moved an amendment to said bill which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wilson read and laid on the table a joint resolution, entitled

Resolution in regard to copies of act allowing defendants to testify in criminal cases.

Which, under the rule, lies over one day.

The rule of the Senate requiring said resolution to lie one day on the table being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be, and he is hereby, directed to have printed as soon as possible four hundred copies of the act passed at the present session of this General Assembly allowing defendants in criminal and penal cases to testify, after the same shall have been approved by the Governor, and that he mail a copy to each Circuit Judge, Judge of Criminal Courts, Commonwealth Attorney, County Attorney and County Judge in this Commonwealth.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Dixon, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of C. L. Keown, of Hancock county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Ogilvie, from the Committee on Religion and Morals, to whom was referred leave to bring in a bill, entitled

A bill to amend section 5 of an act, entitled "An act to further regulate the retail traffic in spirituous, vinous and malt liquors and nostrums used as a beverage," approved May 5, 1880,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Ogilvie,

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

The Senate took up for consideration the motion heretofore entered by Mr. Kendall to reconsider the vote by which the Senate had concurred in an amendment to an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act incorporating the Louisville Natural Gas and Heating Company.

Mr. Hill moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Ogilvie, from the Committee on Claims, to whom was recommitted a bill from the House of Representatives, entitled

An act for the benefit of J. A. Clark, late Assessor for Marshall county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to bring in the same, viz :

By Mr. Alford, from the Committee on Courts of Justice—

A bill to amend an act, approved February, 1886, entitled "An act to amend an act, entitled 'An act to amend, digest and reduce into one all the acts incorporating the city of Lexington,'" approved April 19, 1882.

By same—

A bill to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882.

By Mr. Walker, from the Committee on Public Health—

A bill to authorize the County Court of Allen county to subscribe stock in turnpike roads in said county.

By Mr. Bush, from the Committee on the Judiciary—

A bill to amend the charter of the Maysville Gas Company.

By same—

A bill to amend the charter of the Middle Trace Turnpike Road Company, Northern Division, Mason county.

By Mr. Rigney, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Dunville Cornet Band Company.

By Mr. Walker, from the Committee on Charitable Institutions—

A bill to amend section 1, of chapter 1627, of the General Laws of this Commonwealth, passed at the session of 1883-4, of the General Assembly, and approved May 12, 1884.

By Mr. Hays, from the Committee on Finance—

A bill establishing the Fountain Ferry Landing and Wharf, in Jefferson county, on the Ohio river, from the foot of the Fountain Ferry road, along the eastern bank of said Ohio river to the foot of Chestnut street, extended, and fixing the wharf charges.

By same—

A bill to amend an act incorporating the Security Storage Company, of Louisville.

By Mr. Neat, from the Committee on Claims—

A bill for the benefit of Walter Lamaster, of Henry county.

By Mr. Boles, from the Committee on the Judiciary—

A bill to authorize D. R. Carr, Special Judge of the Barren Circuit Court at its March term, 1886, to sign orders and judgments made by him at said term of said court.

By Mr. Dixon, from the Committee on Propositions and Grievances—

A bill to amend an act, entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867, and the several acts amendatory thereto.

By Mr. Hill, from the Committee on Courts of Justice—

A bill for the benefit of W. G. Bullock, of Lewis county.

By same—

A bill to amend an act, entitled "An act to incorporate the Atlanta Agricultural and Stock Display Association."

By Mr. Taulbee, from the same committee—

A bill to amend the charter of the town of Beattyville, Lee county.

By Mr. Cravens, from the Committee on Education—

A bill giving the school trustees in district No 23, in Metcalfe county, authority to have the common school taught at the Summer Shade Institute.

By Mr. Burnett, from the Committee on General Statutes—

A bill empowering the County Judge of Franklin county to appoint a patrol or county police in the first magisterial district in said county, and defining his duties, powers and pay.

By same—

A bill for the benefit of the first magisterial district of Franklin county.

By same—

A bill for the benefit of the Board of Councilmen of the city of Frankfort.

By Mr. Feland, from the Committee on the Judiciary—

A bill to repeal an act, entitled "An act to amend chapter 67, General Statutes."

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to amend the charter of the Ohio Valley Railway Company.

By Mr. Taulbee, from the Committee on Propositions and Grievances—

A bill to allow water-gaps on Quick Sand, in Breathitt county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Grundy, from the Committee on Agriculture and Manufactures—

An act to prevent stock from running at large in the fourth and fifth magisterial districts in Kenton county.

By same—

An act to prevent stock from running at large on the turnpike roads in Nicholas county.

By Mr. Neat, from the same committee—

An act to incorporate the Salt River and Timber Creek Turnpike Road Company.

By Mr. Grundy, from the same committee—

An act to re-enact and amend an act, entitled "An act to inhibit the owners or bailees of horses, cattle or hogs or other animals from allowing, suffering or permitting them to go at large in Carroll county, and to make the owners or bailees of such animals liable for all trespasses and injuries committed by them," approved April 22, 1884.

By Mr. Bush, from the Committee on Charitable Institutions—

An act for the benefit of the Commissioners of the Kentucky Institution for the Instruction of Deaf Mutes.

By same—

An act to incorporate the National Sick and Accident Fund, Adairsville, Logan county, Kentucky.

By Mr. Hays, from the Committee on Finance—

An act to incorporate the Victor Emanuel Club, of Louisville.

By same—

An act to incorporate the Grainers' and Painters' Company, of Louisville.

By same—

An act to incorporate the McDonald Bros. Jail Building Company.

By Mr. Triplett, from the same committee—

An act to amend the charter of the city of Hawesville, in relation to schools.

By Mr. Taulbee, from the Committee on Claims—

An act for the benefit of A. T. Curry, of Green county, Kentucky.

By same—

An act for the benefit of Ambrose Cox, of Letcher county.

By Mr. Clement, from the Committee on Privileges and Elections—

An act to increase the jurisdiction of Justices of the Peace in certain cases, in Caldwell county.

By same, from the Committee on Claims—

An act for the benefit of W. R. Ramsey, R. Y. Thomas, Jr. and Farish Arnett.

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act to amend and reduce into one the several acts in relation to roads and bridges in Henderson county.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to regulate the sale of spirituous, vinous or malt liquors in the county of Warren.

By Mr. Hill, from the Committee on Courts of Justice—

An act to allow the County Court of Carlisle county to appoint commissioners to lay off said county into magisterial districts.

By same—

An act to authorize the sale of the Bethlehem Turnpike Road, in Henry county.

By same—

An act to authorize the County Court of Warren county to subscribe stock in turnpike roads in said county.

By same—

An act to authorize J. D. Atchison, Judge of the Daviess County Court, to act as executor, trustee and guardian in certain cases.

By same—

An act to prevent the drifting and floating of saw-logs down the Licking river below Salyersville.

By same—

An act to amend an act incorporating the town of Lock-

port, in Henry county, and defining the jurisdiction of the Police Court of said town.

By same—

An act for the benefit of Mrs. Nancy McCallister, of Henry county.

By same—

An act to amend an act, entitled "An act to authorize the people to vote a tax in aid of turnpike roads, in Henry county, and acts amendatory thereto," approved February 11, 1876, March 9, 1869, March 21, 1870, and March 28, 1872.

By same—

An act to empower the County Courts of Ballard and Carlisle counties to levy an ad valorem tax to repair and build bridges in said counties, and to elect or appoint bridge commissioners.

By Mr. Ogilvie, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to incorporate the town of Bardwell, in Ballard county," approved March 10, 1882.

By same—

An act to amend an act, entitled "An act to incorporate the town of Hickory Grove, in Graves county," approved April 11, 1873, and to amend an act amending said act, approved April 5, 1878, and to fix the boundaries of said Hickory Grove.

By Mr. Caudill, from the same committee—

An act to incorporate the Salt River and New Liberty Church Turnpike Road Company.

By same—

An act to incorporate the Wardsville and Lick Skillet Turnpike Company, in Anderson county.

By same—

An act to incorporate the Bond's Mill and Cheese Lick Creek Turnpike Road Company, in Anderson county.

By same—

An act to incorporate the Camdensville and Shiloh Meeting-house Turnpike Road Company.

By Mr. Burnett, from the Committee on General Statutes—

An act to construe section 2, of article 6, of the charter of the city of Bowling Green.

By same—

An act to amend an act, entitled "An act to amend section 20, chapter 42, of the General Statutes, title 'Ferries,' so far as the same applies to Warren county," approved March 23, 1886.

By same—

An act to incorporate the Damascus Edge Tool and Manufacturing Company.

By Mr. Martin, from the Committee on the Judiciary—

An act for the benefit of the Headquarters and Summit Station Turnpike Road Company.

By same—

An act for the benefit of turnpike roads in Nicholas county.

By same—

An act rewarding persons in this State finding and bringing ashore dead bodies of human beings from any navigable stream in this State.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to amend the charter of the Chesapeake and Nashville Railway Company.

By same—

An act providing for the assessment and collection of taxes on the Providence branch of the Louisville and Nashville Railroad Company.

By same—

An act to incorporate the Louisville and Portsmouth Railway Company.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the selling, loaning, giving or furnishing any spirituous, vinous or malt liquors, or any mixture thereof, upon the day of any election in the counties of Wayne and Russell.

By same—

An act to amend an act, entitled "An act to regulate the

sale of spirituous, vinous or malt liquors in the county of Henry," approved April 13, 1886.

By same—

An act to incorporate the Funeral Director's Association, of the Falls City.

By Mr. Neat, from the Committee on Claims—

An act for the benefit of S. H. Wells, Clerk of the County Court of Todd county.

By Mr. Martin, from the Committee on the Judiciary—

An act to incorporate the Consumers' Gas-light Company, of Covington.

With amendments to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Rigney—

1. A bill to take the sense of the voters of Casey county as to the propriety of moving the county seat from the present location to the town of Yosemite, in said county.

On motion of Mr. Feland—

2. A bill to amend the charter of the city of Hopkinsville.

On motion of same—

3. A bill to repeal an act, entitled "An act to amend chapter 67, General Statutes," approved 1880.

On motion of Mr. Caudill—

4. A bill to empower the County Court of Knott county to issue bonds to pay for the building of court-house and clerk's offices, and provide for the payment of same.

On motion of Mr. Feland—

5. A bill to amend the provisions of the Civil Code of Kentucky, concerning injunctions.

On motion of Mr. Cravens—

6. A bill, entitled "An act to amend an act, entitled 'An act

to authorize Trimble county to take stock in turnpike roads in said county.'"

On motion of Mr. Triplett—

7. A bill to incorporate the Danigs Coal and Mining Company.

Ordered, That the Committee on Privileges and Elections prepare and bring in the 1st; the Committee on Courts of Justice the 2d and 4th; the Committee on the Judiciary the 3d; the Committee on Codes of Practice the 5th and 6th; and the Committee on Banks and Insurance the 7th.

On motion of Mr. J. R. W. Smith, the Senate then adjourned until Monday, May 3d, at 11 o'clock, A. M.

MONDAY, MAY 3, 1886.

The reading of the Journal of Saturday was dispensed with.

Mr. McKee moved to reconsider the vote by which the Senate had passed a bill entitled

An act empowering the County Judge of Franklin county to appoint a patrol or county police in the first magisterial district in said county, and defining his duties, power and pay.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. McKee,

Ordered, That said bill be recommitted to the Committee on General Statutes.

On motion of Mr. Cravens,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act for the benefit of common school district No. 25, in Oldham county," approved April 15, 1882.

After a short time, the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Frederick, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to regulate the inspection of steam-boilers, and fixing the qualifications of persons in charge thereof, in the city of Louisville and county of Jefferson,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to amend chapter 26, General Statutes,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wilson objected to the further reading of said bill on this day.

So said bill fell into the orders of the day.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act in regard to certain roads in Carroll county, and to provide for working the same.

An act to prevent cattle from running at large in Harrison county.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Adam Rueling.

An act to amend an act to incorporate the Tygart Valley Iron Company, approved March 25, 1872.

An act for the benefit of R. J. Thomason, of Franklin county.

That they had passed bills of the following titles, viz:

1. An act for the benefit of Frederick Eddinger, of Jefferson county.

2. An act for the benefit of Thompson, Wilson & Company.

3. An act to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," being chapter 438, of the acts of 1883-84, and all acts amendatory thereof.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 2d to the Committee on Claims, and the 3d to the Committee on the Judiciary.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to divide precinct No. 1, in Pendleton county, into two voting places.

An act to incorporate the West Kentucky Improvement Company.

An act prescribing the manner in which certain lands belonging to the border counties in the State of Kentucky, south of Walker's line and north of latitude thirty-six degrees, thirty minutes, in the State of Tennessee, shall hereafter be entered, surveyed and carried into grant.

An act to amend the charter of the city of Covington.

An act to establish the Dinmore Park Springs Company.

An act to establish the Nineteenth Circuit Court District, composed of the counties of Estill, Powell, Lee, Clay, Perry,

Letcher, Knott, Breathitt and Wolfe, and provide for the terms of courts to be held in same.

An act to amend an act to incorporate the Wingo High School Company, approved May 1, 1884.

An act to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Lagrange, in Oldham county," approved February 2, 1882.

An act for the government of political primary elections, mass-meetings and conventions held under the provisions thereof, in Kenton county.

An act changing and defining the corporate limits of the town of Scottsville, in Allen county.

An act to add Magoffin county, now in the Sixteenth Judicial District, to the Thirteenth Judicial District, and fix the time for holding the Circuit Courts therein.

An act for the benefit of Cary Chandler, of Adair county.

An act to amend an act, entitled "An act to incorporate the town of Pleasureville, *alias* North Pleasureville, in Henry county."

Mr. Martin, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act authorizing the Coroner of Nelson county to appoint a deputy,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

The Senate took up for consideration the motion heretofore entered by Mr. Feland to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act conferring upon the County Court of Lyon county jurisdiction to appropriate money to defray the current expenses of said county, and to levy a poll-tax to pay such appropriations.

Mr. Burnett moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration the motion heretofore entered by Mr. J. R. W. Smith to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act for the benefit of Mary E. Evans, of Ballard county.

And the question being taken thereon, it was decided in the negative.

Mr. Worthington was granted leave to have his vote recorded in the affirmative on the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to permit defendants in all penal and criminal prosecutions to testify.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act prescribing the manner of selling the sulphate and other preparations of morphine and opium in this State, and for other purposes," approved February 19, 1886, and to prescribe the manner of selling the sulphate and other preparations of morphine in this State.

Mr. Caudill moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act prescribing the manner of selling the sulphate and other preparations of morphine and opium in the State and for other purposes," approved February 19, 1886, be, and the same is hereby repealed.

§ 2. That on and after the first day of September, 1886, it shall not be lawful for any druggist or other dealer in drugs and medicines to sell or offer for sale any sulphate or other salts of morphine in any bottle, vial, envelope or other package unless the same shall be wrapped in a scarlet paper or envelope, and all bottles or vials used for the above purpose shall have in addition to said scarlet wrapper, a scarlet label lettered in white letters plainly naming the contents of said bottle.

§ 3. That any one violating the provisions of the second section hereof shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than $10 nor more than $50 for each and every violation.

§ 4. All acts or parts of acts in conflict with this act are hereby repealed.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Worthington and Frederick, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	W. F. Neat,
J. W. Bryan,	R. G. Hays,	J. W. Ogilvie,
R. A. Burnett,	S. E. Hill,	F. D. Rigney,
W. J. Caudill,	H. T. Kendall,	J. R. W. Smith,
F. M. Clement,	L. M. Martin,	R. S. Triplett,
W. M. Cravens,	L. W. McKee,	J. H. Wilson—19.
W. H. Frederick,		

Those who voted in the negative, were—

S. H. Boles, E. L. Worthington, Robert Walker—4.
C. M. Clay, Jr.,

Resolved, That the title thereof be as aforesaid.

Mr. Wilson moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Leave was granted to bring in the following bill, viz:

On motion of Mr. Boles—

A bill to compel the trustees or municipal authorities of the town of Glasgow, in Barren county, Kentucky, to pay the Jailer of said county for commitments and confinements of all persons confined in the jail of said county for violation of the penal laws of this Commonwealth occurring in said town.

Ordered, That the Committee on Codes of Practice prepare and bring in said bill.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the city of Dayton, in Campbell county ;

An act to reduce the number of magisterial districts in Spencer county ;

An act to incorporate the Little Mount Cemetery Company, in Spencer county ;

An act to amend sections 1 and 2, of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886 ;

And enrolled bills which originated in the Senate of the following titles, viz :

An act fixing the boundary and for the benefit of the school district No. 67, in Fleming county ;

An act to amend the act to incorporate the Tygart Valley Iron Company, approved March 25, 1872 ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

On motion of Mr. Walker,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to authorize the County Court of Warren county to subscribe stock in turnpike roads in said county.

After a short time the Clerk reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz :

By Mr. Alford, from the Committee on Courts of Justice—

An act to incorporate the Lexington Opera-house Company.

By Mr. Frederick, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to recharter the town of Mt. Vernon, Rockcastle county," approved March 16, 1886.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Caudill, from the Committee on Internal Improvements—

A bill authorizing the County Court of Knott county to issue bonds for building court-house and clerk's offices.

By Mr. Neat, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Hardin County Natural Gas Company.

By Mr. Frederick, from the same committee—

A bill to incorporate the Bullitt County Natural Gas and Manufacturing Company.

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to incorporate the Washington County Banking Company.

By Mr. Hill, from the Committee on Courts of Justice—

A bill in relation to trials of forcible entry and detainer.

By Mr. Frederick, from the Committee on Internal Improvements—

A bill to incorporate the Cherokee Coal Company.

By Mr. Martin, from the Committee on the Judiciary—

A bill to amend the charter of the city of Frankfort.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, May 3, 1886.

Gentlemen of the Senate:

I respectfully return herewith a bill, entitled "An act concerning license taxes in the city of Louisville," because it contained a provision which, in my judgment, would result in the grossest injury to public morals, and which I am persuaded must have escaped your deliberate consideration. The provision to which I refer is in the following words: "Pool rooms wherein are sold pools upon contest of speed and endurance, and upon all other events, a license of $100 per annum, and the person to whom the license is granted is hereby authorized to carry on said business for the time specified in the license." Whatever may be said in favor of the policy of permitting pool to be sold upon races to be run in our own State, its most earnest advocates generally concede that it would be better for the interests of all concerned as well as of the Commonwealth, to confine the privilege to the grounds upon which such trials of speed and endurance are authorized to be made.

But the proposition contained in this bill is of a very different character. It is not even justified by the pretense of improving our own stock of horses. It does not even propose to limit the selling of pools to races between horses, whether run in or out of the State, but, if I understand it, to authorize the General Council of Louisville to license gambling houses of the worst possible description—houses in which betting in the form of pools may be openly carried on upon any event whatever, whether it be the result of a horse race, dog fight, sparring match, prize fight, game of cards or an election; any thing, in short, which is to happen in the future, whether lawful or unlawful, moral or immoral. Of the disastrous consequence to be anticipated from the establishment of such fruitful sources of vice in all its vanities I need not speak. They were all maturely considered, I have no doubt, when the act of your present ses-

sion was passed making the exhibition of certain gambling devices in this Commonwealth a felony.

I have the honor to be, very respectfully,

J. PROCTOR KNOTT.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act to revise and amend the tax laws of the city of Louisville, approved May 12, 1884, be, and it is hereby, amended as follows: In article 1 of said act, section 9, after the words "the required license," shall read thus: For every confectioner, hawker, huckster or peddler, not less than $5 nor more than $100; any other merchant or dealer (except as hereinafter provided for) not less than $5 nor more than $2,500. In grading the license, the General Council shall impose a tax of not less than $1 on every $1,000 of yearly sales at wholesale; of all other commodities, except grain, cotton and provisions, not less than 50 cents on every $1,000 of yearly sales at retail, and shall collect the license tax within the above limits at the end of the year for the excess of sales over the estimate made at the time of issuing the license. The sum of $2,100 shall, on the first of every month beginning on the first of June, 1884, be paid by the sinking fund commissioners into the city treasury for the benefit of the school fund in lieu of the former school tax on merchandise; for any theatrical exhibition, lecture, concert, show, circus, flying dutchman, menagerie, ball, entertainment or performance in the city for pay, such sum of not less than $10 nor more than $100 a day, as the General Council may by ordinance prescribe; but a yearly license may be granted to a theatre of not less than $200 nor more than $300; for each vehicle running in said city not less than $2 nor more than $30, and vehicles thus licensed shall not be subject to an ad valorem tax; for every lottery office, $200 per annum; for each billiard or pool table, bowling alley or shooting gallery, not less than $20 nor more than $100; for each tavern, hotel, public boarding-house or place of public resort or entertainment, wherein no malt, fermented, spirituous liquors or wine are sold, not less than $10 nor more than $75; for each tavern or hotel, coffee-house, club room or other establishment wherein malt, fermented or spirituous liquors or wine are sold by retail in said city, not less than $75 nor more than $1,000; for a real estate office or a livery stable not less than $10 nor more than $100; for each rendering or tanking-house, pork or other meat packing house, not less than $10 nor more than $500; for every pawnbroker not less than $200 nor more than $500; for every intelligence office, claim agent's or commercial agent's office, street broker or exchange-broker, not less than $10 nor more

than $500; for each bank or banking-house not less than $50 nor more than $500; for every telephone or telegraph office not less than $150 nor more than $1,000; for every insurance office or insurance agency a separate license, to be taken out on account of each insurance company represented, not less than $100 nor more than $300 a year, the company, as well as the agent of a foreign or the chief officer of a home company, to be responsible for acting without license, and subject to the penalties therefor; for an express office or agency, whether foreign or domestic, $200; for each distiller of whisky or wine, not less than $50 nor more than $500; pool rooms, wherein are sold pools upon contests of speed and endurance, and upon all other events, a license of $100 per annum; and the person to whom the license is granted is hereby authorized to carry on said business for the time specified in the license; for each veterinary surgeon or chiropodist, not less than $5 nor more than $25; for each astrologer, fortune teller and clairvoyant, not less than $200; for any other business or employment, except physicians, architects, dentists and lawyers and brewers, not herein named, the General Council may by ordinance designate and fix the rate or rates between $5 and $2,500, and cause a license therefor to be taken as herein provided. Every business, profession or craft herein provided to be licensed, the General Council may grade and classify and fix the rate of license at or within the maximum and minimum herein named. No license shall be for a longer period than one year, but may be for a shorter term in the discretion of the General Council, and the charge therefor shall be paid into the sinking fund before granting the license. The resident agents of non-resident proprietors shall be civilly responsible for the license tax and criminally responsible for carrying on business without license in like manner as if they were proprietors. The unexpired term of a license may be transferred by the holder with the assent of the General Council expressed by ordinance, on payment of 5 per cent. of the original cost. The secretary and treasurer of the sinking fund shall, from oath of the applicant or other evidence, recommend to the General Council the grade in which the applicant shall be classed under the ordinance of said city when the application is to license a tavern, coffee-house or other place where spirituous, vinous or malt liquors are sold. In granting all other licenses, the secretary and treasurer of the sinking fund shall, from the oath of the applicant or other evidence, ascertain the grade in which such application should be licensed; but such applicant shall have the right, within ten days, to appeal to the commissioners of the sinking fund from the action of said secretary and treasurer; and the commissioners shall have power to determine in which grade the applicant shall be placed. From the words, "the Council may also levy," etc., the ninth section shall remain unchanged.

§ 2. That section 5 of the aforementioned act, entitled "An

act to revise and amend the tax laws of the city of Louisville," approved May 12, 1884, be amended by striking out the words "carriages and vehicles of all kinds thus kept for which a license has not been paid for the year," embracing the first day of September in question: *And be it further enacted*, That the changes made by this act in the act to which it is an amendment shall take effect as follows: The change in the rate of license shall take effect when the license in force at the date of the passage of this act expires, but in all cases in which the rate is increased by this act new licenses shall, before a new ordinance is passed on the subject, be issued for a term of three months at *pro rata* of the old rate. Otherwise this act shall take effect from its passage.

The question was then taken on the passage of said bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

M. C. Alford,	W. M. Cravens,	L. W. McKee,
S. H. Boles,	W. H. Frederick,	W. F. Neat,
J. W. Bryan,	T. S. Grundy,	J. W. Ogilvie,
R. A. Burnett,	R. G. Hays,	F. D. Rigney,
W. J. Caudill,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	H. T. Kendall,	W. H. Taulbee,
F. M. Clement,	L. M. Martin,	J. H. Wilson—21.

So said bill was rejected.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

[*For bill, see Senate Journal of April 21st.*]

Article 4 of said bill being under consideration.

Mr. Berry had heretofore proposed an amendment to section 2, of said article, which reads as follows, viz:

Amend by adding to section 2 the following, viz: "This section shall not apply to steam-engines used for extinguishing fires."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Triplett and Clay, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	L. W. McKee,
J. W. Bryan,	R. G. Hays,	J. W. Ogilvie,
W. J. Caudill,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	H. T. Kendall,	R. S. Triplett—14.
W. M. Cravens,	L. M. Martin,	

Those who voted in the negative, were—

S. H. Boles,	T. S. Grundy,	W. H. Taulbee,
R. A. Burnett,	W. F. Neat,	E. L. Worthington,
F. M. Clement,	F. D. Rigney,	J. H. Wilson—9.

Mr. Hays moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said section 2, of said article, as amended, and it was decided in the affirmative.

Section 3 of said article was then taken up, read and adopted.

Sections 4, 5, 6, 7, 8 and 9 of said article were then separately taken up, read and respectively adopted.

Section 1, of article 5, was then taken up for consideration.

Mr. Frederick moved to postpone the consideration of said article until to-morrow.

And the question being taken thereon, it was decided in the negative.

Mr. Wilson proposed the following amendment to said section 1, of said article, viz:

Amend article 5, section 1, as follows, viz: In the third line after the words "County Clerk," add the following: "When a certificate signed by the Trustee of the Jury Fund is presented to said clerk, showing that the applicant for a license has paid

to the said trustee the amount required for said license, and all money for a license obtainable from the County Court Clerk or County Court under this article shall be paid by the applicant to the Trustee of the Jury Fund for which said trustee shall give to the applicant duplicate receipts, one of which shall be filed with the clerk, and which shall be preserved by him at the time he grants a license."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Kendall, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	H. T. Kendall,
W. J. Caudill,	R. G. Hays,	J. H Wilson—6.

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	J. W. Ogilvie,
J. W. Bryan,	S. E. Hill,	F. D. Rigney,
R. A. Burnett,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	L. W. McKee,	E. L. Worthington,
F. M. Clement,	W. F. Neat,	R. S. Triplett—15.

Mr. Burnett moved to amend said section by striking out the word "citizens" in the ninth line, and inserting in lieu thereof the words "legal voters."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken upon the adoption of said section 1, as amended, and it was decided in the affirmative.

Section 2 of said article was then taken up for consideration.

Mr. Wilson moved to amend said section by striking out $100 and inserting $200 for license to keep tavern with privilege to retail spirituous or vinous liquors or both.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

W. J. Caudill, R. S. Triplett, J. H. Wilson—4.
H. T. Kendall,

Those who voted in the negative, were—

M. C. Alford,	W. M. Cravens.	L. W. McKee,
S. H. Boles,	W. H. Frederick,	W. F. Neat,
J. W. Bryan,	T. S. Grundy,	J. W. Ogilvie,
R. A. Burnett,	R. G. Hays,	F. D. Rigney,
C. M. Clay, Jr.,	S. E. Hill,	J. R. W. Smith,
F. M. Clement,	L. M. Martin,	W. H. Taulbee—18.

Mr. Wilson moved to amend said section by striking out $100 and inserting $150 for license to keep a tavern with privilege to retail spirituous or vinous liquors or both.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	H. T. Kendall,	E. L. Worthington,
W. J. Caudill,	R. S. Triplett,	J. H. Wilson—6.

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	L. W. McKee,
S. H. Boles,	T. S. Grundy,	W. F. Neat,
J. W. Bryan,	R. G. Hays,	J. W. Ogilvie,
C. M. Clay, Jr.,	S. E. Hill,	F. D. Rigney,
F. M. Clement,	L. M. Martin,	W. H. Taulbee—15.

Mr. Wilson moved to amend said section by striking out $25, and inserting $50 in lieu thereof on a license to sell pistols and bowie knives.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles, T. S. Grundy, F. D. Rigney,
J. W. Bryan, R. G. Hays, J. R. W. Smith,
R. A. Burnett, L. M. Martin, W. H. Taulbee,
W. J. Caudill, W. F. Neat, R. S. Triplett,
F. M. Clement, J. W. Ogilvie, J. H. Wilson—15.

Those who voted in the negative, were—

M. C. Alford, W. H. Frederick, E. L. Worthington,
C. M. Clay, Jr., S. E. Hill, L. W. McKee—7.
W. M. Cravens,

The question was then taken on the adoption of said section, as amended, and it was decided in the affirmative.

Sections 3, 4, 5 and 6 of said article were then each taken up, read and respectively adopted.

Mr. Boles moved to amend section 7, of said article, by striking out in second line $1, and inserting in lieu thereof $2, and by striking out in fifth line $50, and inserting in lieu thereof $200.

And the question being taken thereon, it was decided in the negative.

Sections 7, 9, 10, 11, 12 and 13 were then severally read and respectively adopted.

Mr. Burnett moved to amend section 14 by inserting, after the word "mortgage" in the thirteenth line, the words "but no tax shall be paid on any chattel mortgage unless the amount secured thereby exceeds the sum of fifty dollars."

And the question being taken thereon, it was decided in the affirmative.

Mr. Wilson moved to amend said section by striking out the nineteenth line therein.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKee and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

W. M. Cravens, W. F. Neat, E. L. Worthington,
R. G. Hays, F. D. Rigney, J. H. Wilson—7.
L. M. Martin,

Those who voted in the negative, were—

M. C. Alford,	C. M. Clay, Jr.,	H. T. Kendall,
S. H. Boles,	F. M. Clement,	L. W. McKee,
J. W. Bryan,	W. H. Frederick,	J. W. Ogilvie,
R. A. Burnett,	T. S. Grundy,	W. H. Taulbee,
W. J. Caudill,	S. E. Hill,	R. S. Triplett—15.

Mr. Wilson moved to amend said section by inserting in nineteenth line $2, in lieu of $4.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Hays, were as follows, viz:

Those who voted in the affirmative, were—

R. G. Hays,	W. F. Neat,	J. H. Wilson—5.
L. M. Martin.	F. D. Rigney,	

Those who voted in the negative, were—

M. C. Alford,	F. M. Clement,	H. T. Kendall,
S. H. Boles,	W. M. Cravens,	L. W. McKee,
J. W. Bryan,	W. H. Frederick,	J. W. Ogilvie,
R. A. Burnett,	T. S. Grundy,	J. R. W. Smith,
W. J. Caudill,	S. E. Hill,	R. S. Triplett—16.
C. M. Clay, Jr.,		

Mr. Neat moved to amend said section by striking out, after the word "dollar" in line 29, and before the word "for" in line 30, the following: "For each official certificate, with seal of office affixed, $1."

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said section, as amended, and it was decided in the affirmative.

The Senate then took up for consideration section 8.

Mr. Clay moved to amend said section as follows, viz:

Strike out the first seven and a half lines down to the word "same," and insert in lieu thereof the following: "For license to stand a stud-horse, jack or bull, the sum of $10."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Hays, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, L. M. Martin, R. S. Triplett—4.
C. M. Clay, Jr.,

Those who voted in the negative, were—

S. H. Boles, W. H. Frederick, W. F. Neat,
J. W. Bryan, T. S. Grundy, J. W. Ogilvie,
R. A. Burnett, R. G. Hays, F. D. Rigney,
W. J. Caudill, S. E. Hill, W. H. Taulbee,
F. M. Clement, H. T. Kendall, J. H. Wilson—16.
W. M. Cravens.

Mr. Alford moved to strike out said section 8.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alford and Clay, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, E. L. Worthington, C. M. Clay, Jr.—3.

Those who voted in the negative, were—

S. H. Boles, T. S. Grundy, J. W. Ogilvie,
J. W. Bryan, R. G. Hays, F. D. Rigney,
R. A. Burnett, S. E. Hill, W. H. Taulbee,
W. J. Caudill, H. T. Kendall, J. H. Wilson,
F. M. Clement, L. M. Martin, R. S. Triplett—17.
W. H. Frederick, W. F. Neat,

The question was then taken on the adoption of section 8, and it was decided in the affirmative.

Mr. Boles moved to amend section 15, of said article, by striking out five per cent. and inserting three per cent.

And the question being taken thereon, it was decided in the affirmative.

Mr. Alford moved to strike out the whole of said section, as amended.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alford and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, E. L. Worthington, J. H. Wilson—3.

Those who voted in the negative, were—

S. H. Boles,	W. M. Cravens,	L. M. Martin,
J. W. Bryan,	W. H. Frederick,	W. F. Neat,
R. A. Burnett,	T. S. Grundy,	J. W. Ogilvie,
W. J. Caudill,	R. G. Hays,	J. R. W. Smith,
C. M. Clay, Jr.,	S. E. Hill,	W. H. Taulbee,
F. M. Clement,	H. T. Kendall,	R. S. Triplett—18.

The question was then taken on the adoption of said section, as amended, and it was decided in the affirmative.

Mr. Boles moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Sections 16, 17, 18, 19 and 20 were then each taken up, read and respectively adopted.

Mr. Bryan moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Triplett, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	W. H. Taulbee,
J. W. Bryan,	T. S. Grundy,	E. L. Worthington,
W. J. Caudill,	H. T. Kendall,	R. S. Triplett—11.
W. M. Cravens,	L. M. Martin,	

Those who voted in the negative, were—

M. C. Alford,	R. G. Hays,	J. W. Ogilvie,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	W. F. Neat,	J. H. Wilson—10.
F. M. Clement,		

And then the Senate adjourned.

TUESDAY, MAY 4, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to authorize the county of Mason to subscribe to the capital stock of railroad companies," approved March 29, 1886.

An act to amend the charter of the town of Clinton, in Hickman county.

An act to authorize the Circuit Court Clerks of Magoffin and Morgan counties to make cross-index to the judgment books of said counties.

An act to amend chapter 630, of the acts of the present session of the General Assembly.

An act to incorporate the Manchester, Crooked Creek and Cavedale Turnpike Road Company, of Lewis county.

An act for the benefit of Yeoder J. Jewell, of Fayette county.

An act to amend an act, entitled "An act to prevent trespass in the county of Woodford," approved April 17, 1884.

An act to further regulate the conduct of elections in the city of Covington.

An act to establish district No. 12, in Harlan county.

An act for the benefit of colored common schools of Floyd county, and to authorize the superintendent and board of examiners of common schools of said county to issue special license to persons to teach colored common schools of said county.

An act to amend the charter of the Lexington Savings Association.

An act to extend the Court of Common Pleas in the First Judicial District to the county of Carlisle, and fixing the times for holding the same.

An act to prevent distillers from emptying their slops and offal into Hickman creek, in Jessamine county.

An act to amend the charter of the Logan County Bank.

An act to incorporate the Louisville Detective Agency.

An act to prohibit the sale of spirituous, vinous and malt liquors within two miles of Glenville school-house, in district No. 16, McLean county.

An act to authorize Isaiah Short and Samuel H. Burton to erect a mill-dam across Brushy Fork of Blaine.

An act to change the times of holding the Circuit Courts and Courts of Common Pleas in the county of Ballard, in the First Judicial District.

An act to permit defendants in all penal and criminal prosecutions to testify.

An act to amend an act, entitled "An act to charter the Cabin Creek, Sand Hill and Manchester Turnpike Road Company, of Lewis county."

An act to change school district No. 25, in Hopkins county.

An act concerning the Quarterly Courts of Warren county.

An act in relation to the moving of traction and portable engines over and along the roads and passways of Union county.

An act to regulate the location and maintenance of pest-houses for the treatment of eruptive or infectious or contagious diseases.

An act to charter the Supreme Lodge, Colored Brotherhood of Honor.

An act to amend an act, entitled "An act for the propagation and protection of food-fishes in the waters of the State of Kentucky," approved March 20, 1886, and all acts amendatory thereto, so far as the same applies to the counties of Warren, Edmonson and Butler.

An act to incorporate the Stony Run and Ford Turnpike Road Company.

An act to incorporate the Grand Lodge of the Independent Order of Knights of Honor, colored, of the United States, at Lexington.

An act authorizing the Carter County Court to levy and collect a poll or capitation tax of not exceeding one dollar on each male person over the age of twenty-one years, and an ad valorem tax of not exceeding ten cents on each one hundred dollars of taxable property in said county each year, to pay the ordinary expenses of said county each year.

An act to amend the charter of the town of Gratz, in Owen county.

An act to incorporate the Blakeman Mills and Buckeye Turnpike Road Company, in Madison and Garrard counties.

Resolution directing the removal of the remains of Lieut.-Col. Ezekiel Fields, and their interment in the State lot in the cemetery at Frankfort.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870.

An act to amend article 12, chapter 33, of the General Statutes, relating to bribery in elections.

An act to amend section 601, of the Civil Code of Practice.

An act to allow water-gaps on Quick Sand, in Breathitt county.

An act for the benefit of D. B. Edmonston, committee for George Delaney, of Lincoln county.

An act for the benefit of the branch Penitentiary at Eddyville.

That they had passed bills of the following titles, viz:

1. An act to amend the charter of the Kentucky State Dental Association.

2. An act for the benefit of Mrs. E. E. Bone, of Hickman county.

3. An act for the benefit of the town of Brooksville, in Bracken county.

4. An act for the benefit of J. H. Emmons, Marshal of the city of Ashland, Kentucky.

5. An act for the benefit of Charles McDaniel, of McLean county.

6. An act for the benefit of Robt. B. Batte, of Henderson county.

7. An act to amend an act, entitled "An act authorizing the Judge of the Lewis County Court to subscribe stock in Maysville and Big Sandy Railroad Company, and providing for the issual of the bonds of Lewis county, to raise said sums, and to levy a tax to pay the interest on the bonds, and to pay off the bonds," approved March, 1886.

8. An act to provide for the holding of County Court when the Judge is absent or can not preside.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Public Health; the 2d, 3d, 4th, 5th and 6th to the Committee on Claims; the 7th to the Committee on the Judiciary, and the 8th to the Committee on Courts of Justice.

That they had adopted a joint resolution, entitled

A joint resolution expressing sympathy with Ireland in her struggle for home rule, and indorsing Gladstone and Parnell.

Said resolution was taken up, twice read and concurred in.

Mr. Alford read and laid on the table a joint resolution, entitled

Resolution fixing day for *sine die* adjournment of the present session of the General Assembly.

The rule of the Senate requiring said resolution to lie one day on the table being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That on Monday, the seventeenth day of May, 1886, at high noon, this General Assembly shall adjourn *sine die*

Mr. Price moved to amend said resolution as follows, viz:

Add the following: "And no bill or resolution shall be considered by either house on said day."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Triplett, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. W. Ogilvie,
S. H. Boles,	T. S. Grundy,	J. N. Price,
J. W. Bryan,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	D. H. Smith,
A. R. Byers,	J. H. McDanell,	J. R. W. Smith,
W. J. Caudill,	L. W. McKee,	W. H. Taulbee,
C. M. Clay, Jr.,	W. F. Neat,	R. S. Triplett—22.
F. M. Clement,		

Those who voted in the negative, were—

A. S. Berry, J. H. Wilson—2.

Resolved, That the title of said resolution be as aforesaid.

Mr. Boles read and laid on the table a joint resolution, entitled

Joint resolution concerning the general appropriation bill.

The rule of the Senate requiring said resolution to lie over one day being dispensed with, said resolution was taken up, and reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That after a day of adjournment of this General Assembly shall be agreed upon by the two Houses that then the appropriation committee of the two Houses, if practicable, report the general appropriation bill at least three days before the day of adjournment in order that members may have a better opportunity to investigate the same.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Hays moved to reconsider the vote by which the Senate had disagreed to a bill which originated in the House of Representatives, entitled

An act to regulate the inspection of steam-boilers, and fixing the qualifications of persons in charge thereof, in the city of Louisville and county of Jefferson.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Frederick, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	T. S. Grundy,	J. H. McDanell,
A. R. Byers,	R. G. Hays,	D. H. Smith,
W. J. Caudill,	S. E. Hill,	R. S. Triplett,
Henry Dixon,	H. T. Kendall,	J. H. Wilson—12.

Those who voted in the negative, were—

A. S. Berry,	F. M. Clement,	J. N. Price,
S. H. Boles,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	W. F. Neat,	W. H. Taulbee—10.
C. M. Clay, Jr.,		

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Hays,

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. McKee moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend the charter of the city of Frankfort.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. McKee,

Ordered, That said bill be recommitted to the Committee on the Judiciary.

Mr. Bryan, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," being chapter 438, Session Acts 1883–84, and all acts amendatory thereof,

Reported the same with an amendment as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Taulbee, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of Lark Howard, surety on revenue bond of John W. Hamons, with a clause of indemnity,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Boles objected to the third reading of said bill on this day.

So said bill fell into the orders of the day.

On motion of Mr. Bryan,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the Senate, entitled

An act to amend the charter of the Independence and Colemansville Turnpike Road Company.

After a short time, the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Camdensville and Shiloh Meeting-house Turnpike Road Company;

An act to incorporate the Salt River and New Liberty Church Turnpike Road Company;

An act for the benefit of S. H. Wells, Clerk of the County Court of Todd county;

An act for the benefit of J. A. Clark, late Assessor for Marshall county;

An act to prevent stock from running at large in the fourth and fifth magisterial districts in Kenton county;

An act to increase the jurisdiction of Justices of the Peace in certain cases, in Caldwell county;

An act to authorize J. D. Atchison, Judge of the Daviess County Court, to act as executor, trustee and guardian in certain cases;

An act to regulate the sale of spirituous, vinous or malt liquors in the county of Warren;

An act rewarding persons in this State finding and bringing ashore dead bodies of human beings from any navigable stream in this State;

An act to incorporate the Bond's Mill and Cheese Lick Creek Turnpike Road Company, in Anderson county;

An act to incorporate the Wardsville and Lick Skillet Turnpike Company, in Anderson county;

An act to amend an act, entitled "An act to incorporate the town of Bardwell, in Ballard county," approved March 10, 1882;

An act to amend an act, entitled "An act to authorize the people to vote a tax in aid of turnpike roads, in Henry county," and acts amendatory thereto, approved February 11, 1876, March 9, 1869, March 21, 1870, and March 28, 1872;

An act providing for the assessment and collection of taxes on

the Providence branch of the Louisville and Nashville Railroad Company;

An act for the benefit of A. T. Curry, of Green county, Kentucky;

An act to incorporate the Funeral Director's Association, of the Falls City;

An act to re-enact and amend an act, entitled "An act to inhibit the owners or bailees of horses, cattle or hogs or other animals from allowing, suffering or permitting them to go at large in Carroll county, and to make the owners or bailees of such animals liable for all trespasses and injuries committed by them," approved April 22, 1884;

An act for the benefit of Mrs. Nancy McCallister, of Henry county;

An act in relation to prohibiting the sale of spirituous, vinous and malt liquors in Union and McLean counties;

An act to incorporate the Scoville and Lawrenceburg Turnpike Road Company, in Washington and Anderson counties;

An act for the benefit of the Commissioners of the Kentucky Institution for the Instruction of Deaf Mutes;

An act to incorporate the Damascus Edge Tool and Manufacturing Company;

An act to prevent the drifting and floating of saw-logs down the Licking river below Salyersville;

An act to incorporate the Victor Emanuel Club, of Louisville;

An act for the benefit of Ambrose Cox, of Letcher county;

An act to construe section 2, of article 6, of the charter of the city of Bowling Green;

An act to incorporate the Grainers' and Painters' Company, of Louisville;

An act to amend an act incorporating the town of Lockport, in Henry county, and defining the jurisdiction of the Police Court of said town;

An act to amend the charter of the city of Hawesville, in relation to schools;

An act to amend the charter of the Chesapeake and Nashville Railway Company;

An act to incorporate the McDonald Bros. Jail Building Company;

An act to allow the County Court of Carlisle county to appoint commissioners to lay off said county into magisterial districts;

An act to empower the County Courts of Ballard and Carlisle counties to levy an ad valorem tax to repair and build bridges in said counties, and to elect or appoint bridge commissioners;

An act for the benefit of W. R. Ramsey, R. Y. Thomas, Jr. and Farish Arnett;

An act to incorporate the Salt River and Timber Creek Turnpike Road Company;

An act to prevent stock from running at large on the turnpike roads in Nicholas county;

An act to prohibit the selling, loaning, giving or furnishing any spirituous, vinous or malt liquors, or any mixture thereof, upon the day of any election or political convention in the counties of Wayne and Russell;

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in the county of Henry," approved April 13, 1886;

An act to authorize the sale of the Bethlehem Turnpike Road, in Henry county;

An act for the benefit of the Headquarters and Summit Station Turnpike Road Company;

An act to amend an act, entitled "An act to amend section 20, chapter 42, of the General Statutes, title 'Ferries,' so far as the same applies to Warren county," approved March 23, 1886;

An act for the benefit of turnpike roads in Nicholas county;

An act to repeal an act, entitled "An act to establish the line between Breckinridge and Hancock counties;"

And an enrolled bill which originated in the Senate, of the following title, viz:

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. D. H. Smith moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives. entitled

An act to authorize the County Court of Warren county to subscribe stock in turnpike roads in said county.

Which motion was simply entered.

On motion of Mr. Burnett,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to authorize the voters of Livingston county to vote on the question to remove the county seat, providing for the location of the county seat and building a court-house, jail and clerks' offices of said county seat," approved March 7, 1884.

After a short time the Clerk reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Burnett moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

[*For bill, see Senate Journal of April 21st.*]

Article 5 of said bill being under consideration,

Mr. Berry moved to reconsider the vote by which section 2 of said article was adopted.

And the question being taken thereon, it was decided in the negative.

Section 21 of said article was taken up, read and adopted.

Mr. D. H. Smith moved to amend section 22 by striking from lines 16 and 17 the words "within five days thereafter."

And the question being taken thereon, it was decided in the negative.

Sections 22 and 23 were each then read and respectively adopted.

Article 6 was then taken up for consideration.

Section 1 of said article was read and adopted.

Mr. Kendall moved to amend section 2 of said article by striking out the words "fair" and "and," in the fourth line, and adding the word "cash."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kendall and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers,	R. G. Hays,	F. D. Rigney,
W. J. Caudill,	H. T. Kendall,	D. H. Smith,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett,
W. H. Frederick,	W. F. Neat,	J. H. Wilson—13.
T. S. Grundy,		

Those who voted in the negative, were—

S. H. Boles,	F. M. Clement,	J. W. Ogilvie,
J. W. Bryan,	Henry Dixon,	J. N. Price,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	L. W. McKee,	W. H. Taulbee—12.

Mr. Wilson moved to amend said bill as follows, viz:

Strike out all after "swear" in third line, to include "partiality" in fifth line."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers,	J. D. Harris,	R. S. Triplett,
W. J. Caudill,	R. G. Hays,	J. H. Wilson—8.
W. M. Cravens,	J. N. Price,	

Those who voted in the negative, were—

S. H. Boles,	T. S. Grundy,	J. W. Ogilvie,
R. A. Burnett,	S. E. Hill,	F. D. Rigney,
C. M. Clay, Jr.,	H. T. Kendall,	D. H. Smith,
Henry Dixon,	J. H. McDanell,	J. R. W. Smith—13.
W. H. Frederick,		

The question was then taken on the adoption of said section, as amended, and it was decided in the affirmative.

Mr. Sparks moved to reconsider the vote by which section 21, of article 5, was adopted.

And the question being taken thereon, it was decided in the affirmative.

Mr. Sparks moved to amend said section by striking out of the second and third lines the words "nor any room opening into the same."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said section 21, of article 5, as amended, and it was decided in the affirmative.

Section 3, of article 6, was then read and adopted.

Mr. Clay moved to amend section 4, of said article 6, as follows, viz:

Strike out "fifteenth day of September," and insert in lieu thereof "tenth day of January;" and strike out "fifteenth of December," and insert in lieu thereof "first of June."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kendall and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr.,	W. H. Frederick,	W. F. Neat,
F. M. Clement,	T. S. Grundy,	J. N. Price,
Henry Dixon,	J. H. McDanell,	F. D. Rigney—9.

Those who voted in the negative, were—

A. S. Berry,	W. J. Caudill,	D. H. Smith,
S. H. Boles,	R. G. Hays,	J. R. W. Smith,
J. W. Bryan,	S. E. Hill,	W. H. Taulbee,
R. A. Burnett,	H. T. Kendall,	R. S. Triplett,
A. R. Byers,	J. W. Ogilvie,	J. H. Wilson—15.

Sections 4, 5, 6 and 7, of said article 6, were then each read and adopted.

Mr. Boles moved to amend section 8, of article 6, by striking out one and a half cents in line 12, and inserting in lieu thereof one-half cent.

Mr. Neat proposed the following amendment as a substitute for said section, viz:

The Assessor shall, after he has returned his tax book, and the same has been corrected by the board of supervisors, present to the County Court his account verified by affidavit, which account shall be certified by said court to the Auditor. The amount allowed shall be fifteen cents for each person's list of taxable property, and the same shall be paid by the Treasurer upon the warrant of the Auditor.

Mr. Bryan moved to amend said section as follows, viz:

Amend section 8, article 6, by striking out of line 10, the words "one cent," and inserting in lieu thereof "two and one-half cents."

Mr. Hill moved to amend said section as follows, viz:

Amend section 8, article 6, as follows: Strike out all of section 8, beginning with the word "four" in the ninth line of said section, and add in lieu thereof the following: "Six cents on the one hundred on the first million; two cents on the one hundred dollars on the excess over one million and not exceeding three millions, and one cent on the one hundred on the excess over three millions, and two cents a tithe for every tithe returned by him."

Mr. Cravens moved to amend said section as follows, viz:

Amend by striking out all of section 8, article 6, commencing with the word "four," in ninth line to the close of said section, and inserting in lieu thereof "fifteen cents a list for a head and property list combined, and five cents for a head with no property."

Mr. Caudill moved to amend said section as follows, viz:

Amend article 6, section 8, by striking out "four cents on the one hundred dollars," and inserting "five cents on the one hundred dollars on the first million and under."

Mr. Ogilvie moved to amend the substitute proposed by Mr. Neat for said section as follows, viz:

Amend by striking out "fifteen cents," and inserting "twelve and a half cents."

And the question being taken thereon, it was decided in the negative.

Mr. Boles moved to amend said proposed substitute by adding thereto the following proviso, viz:

Provided, There shall be but one charge for the tax list of any one tax payer.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the amendment, as amended, proposed by Mr. Neat as a substitute for said section 8, of said article 6, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grundy and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. M. Cravens,	W. F. Neat,
R. A. Burnett,	Henry Dixon,	J. W. Ogilvie,
A. R. Byers,	T. S. Grundy,	J. N. Price,
W. J. Caudill,	H. T. Kendall,	F. D. Rigney,
C. M. Clay, Jr.,	J. H. McDanell,	J. R. W. Smith,
F. M. Clement,	L. W. McKee,	J. H. Wilson—18.

Those who voted in the negative, were—

W. H. Frederick,	D. H. Smith,	W. H. Taulbee,
R. G. Hays,	E. R. Sparks,	R. S. Triplett—7.
S. E. Hill,		

Mr. Clay moved to reconsider the vote by which said substitute was adopted.

Mr. Clement moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said section, as amended, and it was decided in the affirmative.

Mr. Clay moved to amend section 9 as follows, viz:

Strike out in the sixth line "truth and value of the same," and insert in lieu thereof the words "the accuracy of his list."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Caudill and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	T. S. Grundy,	J. N. Price,
J. W. Bryan,	J. H. McDanell,	F. D. Rigney,
R. A. Burnett,	L. W. McKee,	D. H. Smith,
C. M. Clay, Jr.,	W. F. Neat,	J. R. W. Smith,
F. M. Clement,	J. W. Ogilvie,	E. R. Sparks—16.
W. H. Frederick,		

Those who voted in the negative, were—

A. R. Byers,	S. E. Hill,	R. S. Triplett,
W. J. Caudill,	H. T. Kendall,	J. H. Wilson—8.
R. G. Hays,	W. H. Taulbee,	

Mr. Hays moved to amend said section by striking out the word "fair," in the eighth line, and inserting in lieu thereof the word "full."

And the question being taken thereon, it was decided in the affirmative.

Mr. D. H. Smith moved to amend said section as follows, viz:

Amend section 9, by inserting, after the word "Assessor," in lines 16 and 17 thereof, the words "and also the names of any persons duplicated by the Assessor."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said section, as amended, and it was decided in the affirmative.

And then the Senate took a recess until 4 o'clock P. M.

The hour of 4 o'clock P. M. having arrived, the Speaker called the Senate to order.

Mr. J. R. W. Smith moved the following resolution, viz:

Resolved, That the name of each Senator be called, and as his name is called he be permitted to call up one local bill.

Which was twice read, and adopted.

Leave was granted to bring in the following bill, viz:

On motion of Mr. Alford—

A bill to incorporate the Lexington Land Investment Company.

Ordered, That the Committee on Internal Improvements prepare and bring in said bill.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Hill, from the Committee on Courts of Justice—

An act to create an additional Justices' district in Perry county, and change and fix the voting place in the third magisterial district, in said county.

By Mr. Price, from the Committee on Claims—

An act for the benefit of Frederick Eddinger, of Jefferson county.

By Mr. Grundy, from the Committee on Public Health—

An act to allow F. B. McCollum, of Livingston county, to practice medicine without first having a diploma or certificate as required by the laws of this Commonwealth.

By same, from the Committee on Agriculture and Manufactures—

An act to amend section 11, of article 1, of an act to amend an act and reduce into one the several acts in regard to the city of Lebanon, approved March 3, 1884.

By Mr. Kendall, from the Committee on General Statutes—

An act to amend and reduce into one the several acts in relation to the Police Court of Elizabethtown.

By Mr. Rigney, from the Committee on Agriculture and Manufactures—

An act to repeal an act, entitled "An act to incorporate the town of Harmony, in Owen county," and all acts amendatory thereof.

By Mr. Neat, from the same committee—

An act to repeal section 4, of an act to amend an act, entitled "An act amending and reducing into one the several acts relating to the town of Scottsville," approved February 28, 1860, and the amendments thereto, which act was approved April 2, 1884.

By Mr. Berry, from the Committee on Education—

An act to amend an act, entitled "An act to incorporate Carr Institute."

By Mr. Boles, from the Committee on the Judiciary—

An act to amend an act, entitled "An act authorizing the Judge of the Lewis County Court to subscribe stock in Maysville and Big Sandy Railroad Company, and providing for the issual of the bonds of Lewis county, to raise said sums, and levy a tax to pay the interest on the bonds, and to pay off the bonds," approved March, 1886.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Boles, from the Committee on Codes of Practice—

A bill requiring the trustees or municipal authorities of the town of Glasgow to pay the fees allowed by law to the Jailer of Barren county, Kentucky, for receiving and feeding while confined therein all prisoners confined under judgment of conviction in misdemeanor cases.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Madison Bridge Company.

By Mr. Price, from the Committee on Claims—

A bill for the benefit of George W. Hunter, of Nelson county.

By Mr. Hill, from the Committee on Courts of Justice—

A bill regulating the advertisement of Master Commissioner's sales made under judgments of the Ohio Circuit Court in certain cases.

By Mr. Clement, from the Committee on Privileges and Elections—

A bill to change the county seat of Casey county.

By Mr. D. H. Smith, from the Committee on General Statutes—

A bill defining the duties of the common school superintendent of Larue county in certain cases.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to regulate and define the rights and powers of certain street railway companies in Jefferson county, viz: The Beargrass Railway Company, the Central Passenger Railroad Company and the Jefferson Railway Company,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That said Beargrass Railway Company be, and it is hereby authorized to enter into contract with the Central Passenger Railroad Company by which the said Beargrass

Railway Company may acquire the right to run its cars over and along the railways now built or hereafter to be built belonging to said Central Passenger Railroad Company or grant to said Central Passenger Railroad Company the right to run its cars over and along the said railway tracks of said Beargrass Railway Company upon such terms and conditions as may be agreed upon between said two companies, and for a period or term not exceeding one hundred years.

§ 2. The Beargrass Railway Company is hereby granted the right to build, maintain and operate one or more lines of railway in the territory, and upon the terms and conditions mentioned in the charter or amendments of the Jefferson Railway Company, and so much of the exclusive privilege in the charter of the Jefferson Railway Company as would prevent or interfere with the Beargrass Railway Company exercising the rights herein granted is hereby repealed so far as may be necessary for the said companies to enjoy equal rights.

§ 3. That hereafter said Central Passenger Railroad Company and said Beargrass Railway Company may, with the consent of the General Council of the city of Louisville given by ordinance or resolution, consolidate and be merged into one corporation, under the name of the company, upon such terms and conditions as may be agreed upon between said city and company, and shall thereupon have perpetual succession and the right to sue and be sued by such name, and exercise all the powers and privileges incident to such corporation, and all rights, privileges and immunities belonging or appertaining to either one of said companies shall thereafter belong and appertain to said consolidated company.

§ 4. That section 10 of the Jefferson Railway Company's charter prohibiting the riding, driving or leading of any animal or vehicle along the roadway of said company is hereby repealed.

§ 5. This act shall take effect from and after its passage.

Mr. Hays moved to amend said bill as follows, viz:

The said Central Passenger Railroad Company or Beargrass Railway Company shall not be allowed by this act to build or operate a railway track on any street, or extension of a street, upon which the Louisville City Railway Company or Jefferson Railway Company now has a street railway track in or outside of the city limits of Louisville.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles, J. R. W. Smith—2.

Those who voted in the negative, were—

J. W. Bryan,	W. H. Frederick,	W. F. Neat,
R. A. Burnett,	T. S. Grundy,	J. W. Ogilvie,
A. R. Byers,	R. G. Hays,	J. N. Price,
W. J. Caudill,	S. E. Hill,	F. D. Rigney,
C. M. Clay, Jr.,	H. T. Kendall,	D. H. Smith,
F. M. Clement,	J. H. McDanell,	W. H. Taulbee,
W. M. Cravens,	L. W. McKee,	R. S. Triplett—21.

Mr. J. R. W. Smith moved to amend said bill as follows, viz:

Amend the second section of said act by adding to said second section the following words, viz: The Beargrass Railway Company, the Central Passenger Railroad Company and Jefferson Railway Company shall only charge, receive or collect the sum of five cents as fare upon the lines of the said companies in Jefferson county outside the limits of the city of Louisville, during the existence of the charters of said companies.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	H. T. Kendall,	J. N. Price,
R. A. Burnett,	J. H. McDanell,	D. H. Smith,
C. M. Clay, Jr.,	W. F. Neat,	J. R. W. Smith,
W. H. Frederick,	J. W. Ogilvie,	W. H. Taulbee—12.

Those who voted in the negative, were—

A. S. Berry,	W. M. Cravens,	S. E. Hill,
W. J. Caudill,	T. S. Grundy,	F. D. Rigney,
F. M. Clement,	R. G. Hays,	R. S. Triplett—9.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Taulbee moved to reconsider the vote by which the Senate had passed said bill.

Mr. J. R. W. Smith moved to lay said motion on the table.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Grayson County Bank.

And the question being taken thereon, it was decided in the affirmative.

The Senate, took up for consideration the motion heretofore entered by Mr. Hays to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the town of South Louisville, in Jefferson county,

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the town of South Louisville, in the county of Jefferson, shall be, and the same is hereby, incorporated within the following limits, to wit: Beginning at a point on the western line of the National Turnpike Road at its intersection with the southern boundary line of the city of Louisville, thence along the north line of the land bought by Schwartz, Wedekemper, etc., from Churchill, to the western line of said land; thence along said line southwardly to the south line of what is known as P street; thence with said line east to the west line of the National Turnpike Road; thence along said line to the south line of the twenty-six-acre tract bought by Jones and Ward from Standiford; thence along said line eastwardly to and across the Louisville and Nashville Railroad right of way to the north-eastern line of the fifty-acre tract bought by the Louisville and Nashville Railroad Company from Jones; thence along said line to where it is 702 feet and 3 inches from the Louisville Transfer Company's center line; thence on a prolongation of said north-eastern line in same direction northwardly to where it would intersect the north line of the Lilby land; thence along said line westwardly to what would be the western line of Brook street if extended; thence

south on said line to where it intersects the north line of the Jones and Ward land; thence along said line westwardly to the point of beginning.

§ 2. That Jacob Miller, Cushman Quarrier, John H. Ward, Richard J. Browne and Peter Lesch are hereby appointed to act as the first Board of Trustees of said town, who shall continue in office until their successors are elected and qualified, with power to fill any vacancy that may occur in their number. Said town of South Louisville shall be a body-corporate and politic and in its name may contract and be contracted with, sue and be sued, plead and be impleaded, and have all the rights and powers necessary to execute the purpose for which this corporation is created.

§ 3. An election shall be held on the first Monday of April, 1887, and on the same day every year thereafter, at some convenient place in said town, for the purpose of electing five Trustees of said town, who shall hold their office for one year and until their successors are elected and qualified; and at said election the qualified voters of said town are entitled to vote, subject to the same rules and regulations now existing or hereafter made by law. The Trustees so elected shall, before they enter upon the duties of their offices, take an oath truly and faithfully to perform their duties as Trustees Said Trustees and their successors in office shall have power to enact all by-laws and ordinances necessary to the improvement, regulation, well-being, and advancement of the interests of said town: *Provided*, The same be not inconsistent with the Constitution or laws of the United States or of this State. They may elect a president of the Board of Trustees. He shall have jurisdiction concurrent with Justices of the Peace of Jefferson county, and to try all misdemeanors committed in the town or violations of town ordinances or by-laws. Practice in his court and process therefrom shall be controlled by the law applicable to Justices of the Peace of Jefferson county; and he may charge the same fees and have the same rights and be under the same liabilities of such Justices. They may appoint or elect a secretary, and appoint or elect an assessor, a collector and such other officers or agents as they deem necessary to carry out the powers and duties imposed on them by law, and require of them such bonds as they may see fit.

§ 4. They are hereby empowered and authorized to receive by gift, donation, or to acquire by purchase or condemnation any lot or lots of ground in said town for school purposes or making streets or sidewalks; and may contract for the building or purchase of school-houses, making roads, streets, sidewalks, alleys, digging and walling and making wells or pumps, buildings, sewers and cisterns, laying gas or water-pipes, and contracting for a supply of water or gas, and for buying proper fire-engines and keeping in repair all the town's improvements and property.

§ 5. The Trustees shall have power to levy and collect an annual tax upon all the land in said town not to exceed fifty cents upon the one hundred dollars of the cash value of the said land, for the uses and purposes of said town; and said town shall not levy or collect any other tax, but may charge for the purposes hereinabove stated a license upon any grocery, store or other place of sale of any articles by retail not to exceed fifty cents on the one hundred dollars on the gross amount of sales of such grocery, store or other place of sale per year; and may fine or prohibit any such place not licensed by them.

§ 6. The collector shall have the power to collect by distress or otherwise, the taxes or licenses levied or fixed on the property or business within said town. Before entering upon his duties, said collector shall execute a bond to said Trustees in such penalty as they shall direct, with surety to be approved by them, and payable to them for the faithful collection of said taxes, and the payment of same to said Trustees or other agents; and for any breach of the conditions of said bond, said Trustees shall have power and authority to sue said collector and his sureties and enforce payment thereof.

§ 7. Every inhabitant of said town over twenty-one years of age who shall have resided two years in the State, or one year in Jefferson county and sixty days in this town next preceding the election; also every resident of the State who shall be the owner of real estate in said town who is not in arrears for town taxes may be a voter at any town election. The Trustees shall appoint judges, sheriffs and clerks of elections in said town and be governed therein by the laws in regard to such duties when imposed upon the County Court by law in regard to elections in the county.

§ 8. Nothing herein shall authorize said town to regulate the speed of railway trains within its limits, or in any way to interfere with the proper conduct and management of said trains, or with work done or repairs made on the track or road-bed of any railroad in said town at any time or upon any day when the work may be necessary in the discretion of the parties charged with said work.

§ 9. This act shall take effect from and after its passage.

And the question being taken on the motion of Mr. Hays to reconsider the vote by which the Senate had passed said bill, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading were then reconsidered.

The Senate had heretofore adopted the following amendment proposed by Mr. Hays to said bill, viz:

Provided, That if the boundary of the city of Louisville should be extended so as to include said town of South Louisville, or any part thereof, then, and in that event the chartered privileges in this act shall become null and void, and the said town of South Louisville and its inhabitants shall be under the same control in every respect of the authority of the city of Louisville as other inhabitants within said city.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had adopted said amendment.

And the question being taken on said motion, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Hays and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Frederick, J. R. W. Smith, R. S. Triplett—5.
H. T. Kendall, W. H. Taulbee,

Those who voted in the negative, were—

S. H. Boles, R. G. Hays, W. F. Neat,
C. M. Clay, Jr., S. E. Hill, J. W. Ogilvie,
F. M. Clement, L. W. McKee, F. D. Rigney—10.
T. S. Grundy,

And then the Senate adjourned.

WEDNESDAY, MAY 5, 1886.

The reading of the Journal of yesterday was dispensed with.

Mr. Clay moved the following resolution, viz:

Resolved by the Senate, That all bills other than the revenue bill be in order during the afternoon session of the Senate.

Which resolution was twice read, and adopted.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the National Sick and Accident Fund, in Adairsville, Logan county, Kentucky;

An act for the benefit of Mary E. Evans, of Ballard county;

An act to incorporate the Paint Creek Narrow Gauge Railroad Company;

An act to incorporate the Louisville and Portsmouth Railway Company;

An act conferring upon the County Court of Lyon county jurisdiction to appropriate money to defray the current expenses of said county, and to levy a poll-tax to pay such appropriations;

An act to amend and reduce into one the several acts in relation to roads and bridges in Henderson county;

An act to amend an act, entitled "An act to recharter the town of Mt. Vernon, Rockcastle county;"

An act to incorporate the Lexington Opera-house Company;

An act to amend an act, entitled "An act to incorporate the town of Hickory Grove, in Graves county," approved April 11, 1873, and to amend an act amending said act, approved April 5, 1878, and to fix the boundaries of said Hickory Grove;

A joint resolution expressing sympathy with Ireland in her struggle for home rule, and indorsing Gladstone and Parnell;

And enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of Adam Rueling;

An act incorporating the Owensboro Opera-house Company;

An act for the benefit of R. J. Thomason, of Franklin county;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to charter the Henderson, Bowling Green and Somerset Railroad.

An act to incorporate the Paint Creek Narrow Gauge Railroad Company.

That they had concurred in the adoption of joint resolutions and passed bills which originated in the Senate, of the following titles, viz:

Resolution in regard to copies of act allowing defendants to testify in criminal cases.

Resolution fixing day for *sine die* adjournment of the present session of the General Assembly.

An act for the benefit of J. C. Smock, of Mercer county.

An act to authorize D. R. Carr, of the Barren Circuit Court, at its March term, 1886, to sign orders and judgments made by him at said term of said court.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act authorizing the Chicago, St. Louis and New Orleans Railroad Company and the Illinois Central Railroad Company, or either of them separately, to build and maintain a railroad bridge across the Ohio river," approved March 29, 1886.

2. An act to fix and regulate the terms and times for the holding of the Circuit Courts of the Thirteenth Judicial District.

3. An act defining the jurisdiction of the Quarterly Court of the county of Carlisle.

4. An act to consolidate common school districts Nos. 83, 84 and 86 for white children in Barren county.

5. An act relating to branding logs on the Kentucky and Cumberland rivers and their tributaries.

6. An act to tax and license sleeping-car companies operating in this State.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Railroads; the 3d to the Committee on Courts of Justice; the 4th to the Committee on Education; the 5th to the Committee on Internal Improvements, and the 6th to the Committee on General Statutes,

And the second-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act for the benefit of the Kentucky Institution for the Education of the Blind.

On motion of Mr. Boles,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday, May 6, 1885, at 10:15 o'clock A. M., and from day to day until disposed of.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to repeal all acts or parts of acts that gave to normal schools, etc., the right to issue diplomas or certificates to persons to teach in the common schools of this State.

On motion of Mr. Boles,

Ordered, That said bill be recommitted to the Committee on Education, with instructions to report the same back to the Senate on Thursday, May 6th, at 10:30 o'clock A. M.

Mr. Berry withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, entitled

An act to repeal an act, entitled "An act to incorporate the Central Railway Bridge Company," approved March 8, 1884.

Mr. Berry moved to lay on the table the motion heretofore entered by Mr. Bryan to reconsider the vote by which the Senate had passed a bill, entitled

An act to repeal an act, entitled "An act to incorporate the Kenton County and Campbell County Bridge Company."

And the question being taken thereon, it was decided in the affirmative.

Mr. Cravens moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act, entitled "An act for the benefit of common school district No. 25, in Oldham county," approved April 15, 1882.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was rejected.

The Senate, according to order, took up for consideration a bill, entitled

An act to quiet land titles in this Commonwealth.

[*For bill, see Senate Journal, April 7th.*]

Mr. Wilson withdrew the amendment heretofore proposed by him to said bill.

[*For amendment, see Senate Journal, April 7th.*]

The question pending being on the adoption of the amendment proposed by the committee to said bill as a substitute therefor.

Said amendment reads as follows, viz:

WHEREAS, By recent decisions of the Court of Appeals, grants for land, issued by the Commonwealth of Kentucky, containing within their exterior boundaries other lands held under prior grants, or other muniments of title, not described with certainty or identified, have been declared void; and whereas, by later decisions of the Court of Appeals, it is held that although grants containing exclusions not described or identified are void, yet the land attempted to be granted by such void patent is not subject to entry, survey or grant; and whereas, the necessity for further legislation, in respect to such land, is directly suggested by the said court in its last decision on the subject; now, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in all cases of grants, issued by the Commonwealth of Kentucky, which are otherwise valid, for lands in which the grant recites that there are, lying within the exterior boundaries described therein, lands which, by any form of words, are excluded from or excepted out of the grant or operation of such patent, which excluded lands are not identified or described with certainty sufficient to locate them, any person claiming title by or through such grant, may, within five years from the first day of July, 1886, cause to be made and filed in the office of the Register of the Land Office a survey and plat or map of said lands, describing by metes and bounds the lands excluded from the operation of said grant, and also describing such lands within such boundaries, as may have been settled on and improved, as provided for by the next section of this act.

§ 2. That where any person or persons have settled on lands within the general boundaries of such grants, and not excluded from the operation of the same, claiming for themselves under color of title deducible of record from the Commonwealth of Kentucky later in date to the said grant, before the first day of January, 1879, and made improvements thereon and held continuous possession thereof since that time, shall be entitled to one hundred acres of land, or as near that area as may be, to be laid off, as near as may be, in a square with the dwelling in the center, but where no dwelling is situated thereon, then such portion thereof as may have been actually enclosed and in continuous adverse possession for fifteen years next before such survey may be begun, and as to such lands thus settled upon and held adversely, the renewal patent provided for in this act shall not operate to pass the title.

§ 3. That the surveying provided for in this act shall be done by the County Surveyor of the county where the land or the greater part claimed under such grant may lie, or by a competent surveyor who may be appointed by the County Court, who shall first take an oath to faithfully perform his duty under

this act. And the owner of such lands, or the surveyor, for not less than ten days before the beginning of the survey, shall give notice in writing to each known claimant residing in the county, of lands lying within the boundaries of such grant, claimed under other titles, however derived, and to each settler provided for by this act, of the time and place where and when such survey will be begun; and the work of surveying shall progress with reasonable diligence until the same is completed.

§ 4. The claimant so filing said plat and survey in the office of the Register of the Land Office, if he be not the original patentee in the patent sought to be renewed, shall also file a chain of title showing his connection with the original patent.

§ 5. The Register of the Land Office shall, upon the filing of the plat and survey, and the chain of title aforesaid, if the claimant be not the patentee, issue as now provided by law in the issuance of original grants, a renewal grant to the claimant in lieu of the original grant, which shall contain a description of the exterior lines of the original grant, and a description in general terms of the lands excluded, as well as the lands held by settlers, or by possession, as provided for in this act, refering to the survey and plat for particular description. The renewal grant aforesaid shall give the date and number of the original grant, and shall be operative as of the date of such original grant, but shall not be construed to affect the title of owners who claim under grants or titles older than such original grant, or of settlers and persons in possession, as provided for in this act.

§ 6. This act shall not be construed to validate grants which were procured by fraud, or which attempt to appropriate the whole of the vacant lands of a county in one grant, or to authorize the renewal of such grants under the provisions of this act.

§ 7. Caveats may be filed in the same manner and the same proceedings had thereon in respect to the issuance of renewal grants as are now allowed by law in the issuance of original grants.

§ 8. This act shall take effect from its passage.

Mr. Taulbee moved to amend said amendment as follows, viz:

Strike out the word "five," in the ninth line of the first section of the substitute, and insert in lieu thereof the word "three;" also all of said section after the word "boundaries," in the fourteenth line; also all of section 2 of said substitute; also the word "owner," in the sixth line of section 3 of said act, and insert in lieu thereof the word "claimant."

And the question being taken thereon, it was decided in the affirmative.

Mr. Wilson moved to amend said proposed substitute as follows, viz:

Amend section 2 as follows, viz: In sixth line strike out "January, 1879," and insert in lieu thereof "January, 1883." In twelfth line strike out "fifteen," and insert in lieu thereof "seven."

Mr. Caudill moved to amend said proposed substitute as follows, viz:

Amend section 2, commencing at line 7, by striking out "100 acres" and inserting "200 acres" in lieu thereof.

Mr. Caudill moved that the further consideration of said bill and proposed amendments be postponed until Thursday, May 6th, at 10:15 A. M.

And the question being taken thereon, it was decided in the negative.

Mr. Taulbee moved to amend said proposed substitute as follows, viz:

Amend section 1, after the word "boundaries," at the close of said section, by adding thereto the words: "All lands as are or may have been owned or claimed, either by deed of record or by title deducible from the Commonwealth of Kentucky, for seven years prior to the first day of January, 1883, by any person who has listed and paid taxes on the same for seven years last past."

Mr. Wilson moved to amend said proposed amendment as follows, viz:

Amend section 3, in line 8: Strike out the words "residing in the county."

Mr. Hill moved the previous question.

Mr. Caudill moved to lay said bill and the proposed amendments thereto on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Caudill and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	J. R. W. Smith,
S. H. Boles,	H. T. Kendall,	W. H. Taulbee,
R. A. Burnett,	W. F. Neat,	R. S. Triplett,
A. R. Byers,	J. W. Ogilvie,	F. T. D. Wallace,
W. J. Caudill,	J. N. Price,	J. H. Wilson—16.
F. M. Clement,		

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	F. D. Rigney,
C. M. Clay, Jr.,	S. E. Hill,	D. H. Smith,
Henry Dixon,	L. W. McKee,	E. R. Sparks—10.
W. H. Frederick,		

So said bill was rejected.

The Senate, according to order, took up for consideration

A petition for a hearing by the Kentucky Manufacturing Establishment for the Blind.

On motion of Mr. Berry,

The Senate resolved itself into a Committee of the Whole on the state of the Commonwealth for the consideration of said petition.

The Speaker of the Senate retired from the chair, and Mr. Berry being called thereto, presided and called the committee to order, the subject under consideration being

A petition for a hearing by the Kentucky Manufacturing Establishment for the Blind.

After a time spent in the consideration of said petition, the committee rose, the Speaker of the Senate resumed the chair, and Mr. Berry, the Chairman, reported that the committee had had under consideration

A petition for a hearing by the Kentucky Manufacturing Establishment for the Blind.

And after proceeding with the consideration of the same for a time, had risen and directed him to report said petition back to the Senate without instructions.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

[*For bill, see Senate Journal, April 21st.*]

Article 6 of said bill being under consideration.

Sections 10 and 11 of said article were respectively taken up, read and adopted.

The Senate on yesterday adopted an amendment to section 9, of said article, proposed by Mr. Clay, which reads as follows, viz:

Strike out in the sixth line "truth and value of the same," and insert in lieu thereof the words "the accuracy of his list."

Mr. Burnett moved to reconsider the vote by which the Senate adopted said amendment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	W. H. Taulbee,
A. R. Byers,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	W. F. Neat,	F. T. D. Wallace,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—15.

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	J. N. Price,
C. M. Clay, Jr.,	T. S. Grundy,	J. R. W. Smith,
W. M. Cravens,	J. H. McDanell,	E. R. Sparks—10.
Henry Dixon,		

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. N. Price,
C. M. Clay, Jr.,	T. S. Grundy,	D. H. Smith,
W. M. Cravens,	J. H. McDanell,	E. R. Sparks—10.
Henry Dixon,		

Those who voted in the negative, were—

S. H. Boles, R. G. Hays, W. H. Taulbee,
R. A. Burnett, S. E. Hill, R. S. Triplett,
A. R. Byers, W. F. Neat, F. T. D. Wallace,
W. J. Caudill, J. W. Ogilvie, J. H. Wilson—14.
F. M. Clement, F. D. Rigney,

Section 12 of said article was then taken up for consideration.

Mr. D. H. Smith moved the following amendment to said section, viz:

Amend section 12, by striking from the fourth line thereof the words "the value of each tract separately," and from lines 7 and 8 the words "and the value of each, and also the value," and from line 13 the words "and their value," and from line 14 the words "and their value," and from lines 15 and 16 the words "and their value," and from lines 16 and 17 the words "and their value," and from line 18 the words "and their value," and from line 19 the words "with the value thereof"

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, W. H. Frederick, J. N. Price,
C. M. Clay, Jr., T. S. Grundy, D. H. Smith,
W. M. Cravens, J. H. McDanell, E. R. Sparks—10.
Henry Dixon,

Those who voted in the negative, were—

S. H Boles, R. G. Hays, W. H. Taulbee,
R. A. Burnett, W. F. Neat, R. S. Triplett,
A. R. Byers, J. W. Ogilvie, F. T. D. Wallace,
W. J. Caudill, F. D. Rigney, J. H. Wilson—13
F. M. Clement,

Mr. Clay moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Section 12 was then adopted.

Mr. Alford moved to amend section 13 as follows, viz:

Amend by striking out of section 13 all the words following the word "lost" in the seventh line down to and including the word "value" in the ninth line.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Alford, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. N. Price,
C. M. Clay, Jr.,	T. S. Grundy,	D. H. Smith,
W. M. Cravens,	J. H. McDanell,	E. R. Sparks—10.
Henry Dixon,		

Those who voted in the negative, were—

S. H. Boles,	H. T. Kendall,	W. H. Taulbee,
R. A. Burnett,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	F. D. Rigney,	J. H. Wilson—14.
R. G. Hays,	J. R. W. Smith,	

Mr. Kendall moved to amend said section as follows, viz:

Amend by striking out the word "fair," and inserting the word "full" in the eighth line of section 13.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Clay, were as follows, viz:

Those who voted in the affirmative, were—

S H. Boles,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. N. Price,	J. H. Wilson—13.
F. M. Clement,		

Those who voted in the negative, were—

A. S. Berry,	T. S. Grundy,	D. H. Smith,
C. M. Clay, Jr.,	S. E. Hill,	J. R. W. Smith,
Henry Dixon,	J. H. McDanell,	E. R. Sparks,
W. H. Frederick,	J. W. Ogilvie,	F. T. D. Wallace—12.

Section 13, as amended, was then adopted.

Mr. Clay moved to strike out section 14.

Mr. D. H. Smith moved to lay said motion on the table.

Mr. Berry moved to lay the bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. H. Frederick,	W. F. Neat,
A. R. Byers,	T. S. Grundy,	D. H. Smith—8.
C. M. Clay, Jr.,	J. H. McDanell,	

Those who voted in the negative, were—

M. C. Alford,	R. G. Hays,	E. R. Sparks,
S. H. Boles,	S. E. Hill,	W. H. Taulbee,
R. A. Burnett,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	F. D. Rigney,	J. H. Wilson—17.
W. M. Cravens,	J. R. W. Smith,	

The question was then taken on the motion of Mr. D. H. Smith to table the motion made by Mr. Clay to strike out section 14, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Ogilvie, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	J. R. W. Smith,
S. H. Boles,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	J. H. McDanell,	R. S. Triplett,
C. M. Clay, Jr.,	W. F. Neat,	F. T. D. Wallace,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—23.
W. H. Frederick,	J. N. Price,	

The question was then taken on the motion made by Mr. Clay to strike out section 14, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Alford, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. H. McDanell,
C. M. Clay, Jr.,	T. S. Grundy,	J. N. Price—6.

Those who voted in the negative, were—

A. S. Berry,	R. G. Hays,	J. R. W. Smith,
S. H. Boles,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	F. D. Rigney,	J. H Wilson—19.
W. M. Cravens,		

Mr. Alford moved the following amendment to said section, viz:

Amend by striking out of section 14 the words, "and shall impose on said property a tax, and shall, in addition, fine such person $100," at the close of the section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Triplett, were as follows, viz;

Those who voted in the affirmative, were—

M. C. Alford, C. M. Clay, Jr., J. H. McDanell,
A. R. Byers, T. S. Grundy, R. S. Triplett—6.

Those who voted in the negative, were—

A. S. Berry, J. D. Harris, F. D. Rigney,
S. H. Boles, R. G. Hays, J. R. W. Smith,
R. A. Burnett, S. E. Hill, E. R. Sparks,
W. J. Caudill, H. T. Kendall, W. H. Taulbee,
F. M. Clement, W. F. Neat, F. T. D. Wallace,
W. M. Cravens, J. W. Ogilvie, J. H. Wilson—19.
W. H. Frederick,

Mr. Wallace moved to amend said section by adding the words "not exceeding," before the words "$100," in the last line of said section.

And the question being taken thereon, it was decided in the affirmative.

Section 14, as amended, was then adopted.

Mr. Clay moved to strike out section 15.

And the question being taken thereon, it was decided in the negative.

Mr. Hays moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The Senate then adjourned until 4 o'clock P. M.

The Senate met pursuant to adjournment.

Mr. Bryan moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend the charter of the Independence and Colemansville Turnpike Road Company.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Bryan,

Ordered, That said bill be recommitted to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had refused to concur in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to regulate and define the rights and powers of certain street railway companies in Jefferson county, viz: The Beargrass Railway Company, the Central Passenger Railroad Company and the Jefferson Railway Company,

The question was then taken, "Shall the Senate adhere to or recede from its amendment?" and it was decided that the Senate should recede from said amendment.

Mr. Bryan moved to suspend the rules and take up for consideration a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 8, 1880.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund shall have full power and authority to make and establish rules and regulations for the conduct and management of the Kentucky Penitentiary, under which any person who is now, or who may hereafter be, convicted and sentenced to confinement in the Penitentiary for a felony other than murder, arson, rape, incest, burglary or highway robbery, except as hereinafter provided, and who has not previously been convicted and served a term therein, and who has not been insubordinate to the rules of the institution, may, upon his written application and consent thereto, be allowed to go on parole outside of the buildings and inclosure of the Penitentiary, and free from the custody and control of the Warden thereof, but to remain in the legal custody and under the control of the said Commissioners, and subject at any time to be taken back and confined within the inclosure of the Penitentiary, and placed in the custody of the Warden thereof, whenever such paroled convict shall become disobedient to the law, as the Board of Commissioners in its discretion shall deem best; and full power to enforce such rules and regulations, and to retake and re-imprison any convict so upon parole (and to require the Warden of the Penitentiary

to release from and receive into his custody any convict so released upon parole or re-imprisoned by order of the Commissioners), is hereby conferred upon said Commissioners, whose written order, signed by the Governor and attested by the Secretary of State, shall be a sufficient warrant and authority to all Sheriffs, Constables, Marshals, Policemen and other peace officers in this State to arrest and return to the custody of the Warden of the Penitentiary any paroled convict therein named; and it is made the duty of the Sheriffs, Constables, Marshals, Policemen and all peace officers of this State to execute said order so directed to them as other criminal process, and they shall receive for their services a like compensation as is provided by law for the arrest and conveying of prisoners to the Penitentiary.

§ 2. That no person who is now, or may hereafter be, convicted and sentenced for the crime of murder, shall be allowed to go on parole outside the inclosure of the Penitentiary and the custody of the Warden, until after said convict shall have served out at least five years of the term for which he is so sentenced and confined; but that when said person, who is now, or may hereafter be, so convicted and sentenced, shall have served five years of his term, then he may be paroled upon the rules and regulations as provided for in the preceding section: *Provided*, His behavior in the prison has been good: *Provided*, This section shall not apply to any one who was over twenty-one years of age at the time of the commission of the offense of which he was convicted.

§ 3. That no person who is now or may hereafter be convicted and sentenced to a term of imprisonment in the Penitentiary for the crimes of arson, burglary or highway robbery, shall be allowed to go outside the inclosure of the Penitentiary, and the custody of the Warden thereof, as provided in the first section of this act, until said person so convicted and sentenced shall have served the minimum term provided by law for the crime for which such person was convicted; but after such person, so convicted, shall have served the minimum term of imprisonment provided for the punishment of said crime, then he may be so paroled under the rules and regulations provided for in said first section.

§ 4. That no person who has been, or may hereafter be, convicted and sentenced for the crime of rape or incest shall be paroled under this act, under any state of case; and no person who has been or may hereafter be so paroled under the provisions of this act, and who, while so paroled, was disobedient to the law or who has been re-imprisoned under and by virtue of the order of said Commissioners, shall thereafter be allowed to go on parole outside the inclosure of the Penitentiary and the custody of the Warden.

§ 5. That nothing in this act shall be construed as requiring such paroled convict to remain or reside in this State while so

out of the Penitentiary on parole; but such convict so paroled may, at any time before said Commissioners shall have ordered his return to said Penitentiary, remove from this State and take up his residence wheresoever he desires.

§ 6. That no convict who has been allowed to go outside of said Penitentiary and the custody of the Warden thereof on parole, shall, while so on parole, be required to wear the regulation dress of the Penitentiary, or other badge, token or thing which is intended to, or which will, indicate that he is so out on parole, and the number of days any such convict has been or may be so out on parole, shall not be credited to him upon his term of imprisonment if he shall be returned and imprisoned in the Penitentiary by order of said Commissioners; but upon his return thereto he shall be required to remain in custody therein for the whole of his unexpired term at the date of his said parole. No prisoner shall be paroled under the provisions of this act unless all the Commissioners of the Sinking Fund concur in recommending such parole.

§ 7. Nothing in this act shall be construed to affect the constitutional power and authority of the Governor of this State to pardon, reprieve or respite any person who may be charged with or convicted of a crime in this Commonwealth.

§ 8. That all laws and parts of laws in conflict herewith are hereby repealed.

§ 9. That this act shall be in force and take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKee and Triplett, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	S. E. Hill,	R. S. Triplett,
J. W. Bryan,	J. N. Price,	F. T. D. Wallace,
W. M. Cravens,	E. R. Sparks,	J. H. Wilson—11.
W. H. Frederick,	W. H. Taulbee,	

Those who voted in the negative, were—

M. C. Alford,	F. M. Clement,	W. F. Neat,
S. H. Boles,	T. S. Grundy,	J. W. Ogilvie,
R. A. Burnett,	H. T. Kendall,	F. D. Rigney,
A. R. Byers,	J. H. McDanell,	D. H. Smith,
W. J. Caudill,	L. W. McKee,	J. R. W. Smith—16.
C. M. Clay, Jr.,		

So said bill was disagreed to.

By unanimous consent the rules were suspended, and the Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act for the benefit of R. W. Noel.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

By unanimous consent the Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to incorporate the Madisonville, Providence and Clayville Railroad Company.

The committee having heretofore reported said bill, with the expression of opinion that it ought not to pass,

The question was taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the affirmative.

Mr. J. R. W. Smith moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Byers, from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of the Kentucky Manufacturing Establishment for the Blind,

Reported the same without an expression of opinion.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Caudill,

Ordered, That said bill be recommitted to the Committee on Charitable Institutions, with instructions to report on to-morrow at 4 o'clock P. M.

By unanimous consent, the Senate took up for consideration a bill, entitled

An act to amend an act, entitled "An act to amend article 3, chapter 5, of the General Statutes, title 'Attorneys,' and to extend and enlarge the duties of County Attorneys thereunder.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of the Kentucky and South Atlantic Railway Company,

Reported the same without amendment.

Mr. Taulbee moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Sparks, from the Committee on Agriculture and Manufactures—

An act to incorporate the Kentucky Fruit and Wine Company.

By same—

An act to incorporate the Ripple Creek Avenue Turnpike Company, in Campbell county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to incorporate the Lexington Land Investment Company.

By Mr. Caudill, from the Committee on Internal Improvements—

A bill to incorporate the Daviess Coal and Mining Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

THURSDAY, MAY 6, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had refused to concur in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to punish and make seduction a felony in this Commonwealth.

An act to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," being chapter 438, Session Acts 1883-84, and all acts amendatory thereof.

That they had passed bills of the following titles, viz:

1. An act to amend the charter of the Shelbyville and Taylorsville Turnpike Company.

2. An act to amend an act, entitled "An act to incorporate the town of Bagdad, in Shelby county," approved April 16, 1884.

3. An act for the benefit of certain turnpikes in Shelby county.

4. An act to incorporate the Harrisonville and Græfensburg Turnpike Company, in Shelby county."

5. An act for the continuation of the Geological Survey.

6. An act to amend an act, entitled "An act to amend the charter of the Shelby Railroad, and authorize certain counties to take stock in the same," approved February 3, 1869.

7. An act to repeal an act to prohibit the sale of spirituous, vinous or malt liquors in the first and second magisterial districts, in Shelby county."

8. An act to amend an act, entitled "An act to prevent the sale of spirituous, vinous and malt liquors within the Clayvillage precinct of Shelby county."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 3d and 4th to the Committee on the Judiciary; the 5th to the Committee on Immigration and Labor; the 6th to the Committee on Railroads, and the 7th and 8th to the Committee on Religion and Morals.

On motion of Mr. Rigney, leave of absence, indefinitely, was granted Mr. Taulbee.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to authorize precinct No. 1, in Larue county, to subscribe for stock in the Hodgenville and Elizabethtown Railway Company.

Mr. D. H. Smith moved an amendment to said amendment.

Which was adopted.

The question was then taken on concurring in the adoption of the amendment, as amended, and it was decided in the affirmative.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Spring Cliff Park Hotel and Railroad Company,

Reported the same without amendment.

Mr. Frederick moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act for the benefit of the Kentucky Institution for the Education of the Blind.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, By the act approved March 27, 1884, entitled "An act to amend an act establishing an Institution for the Education of the Blind of Kentucky," approved the fifth of February, 1842, there was appropriated the sum of $20,000 for the colored blind children of this Commonwealth; and whereas, the terms and provisions of said act have been complied with by the purchase of additional land contiguous to said institution, and the title vested in the Commonwealth of Kentucky, and the building thereon is now under roof and in the process of finishing; and whereas, by the terms of the act aforesaid, the sum appropriated thereby, when fully paid, will complete the building aforesaid; and whereas, to carry into full effect the

intent of the act aforesaid, namely, to wit: To establish and maintain a school for the colored blind children of the Commonwealth, a further appropriation will be required for the necessary equipment of said ground and building for the purposes intended; and whereas, an annual appropriation also will be required to place the colored blind on an equal footing with the white blind children of this Commonwealth in maintaining a school in their behalf; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of five thousand dollars be, and the same is hereby, appropriated, to be applied to the proper furnishing of the building with heating apparatus and such utensils, furniture and appliances as may be needed for the carrying on of a school for blind children, and also for the proper grading and fencing of the grounds, and the construction of needed footways and approaches from the street to the building and between the buildings.

§ 2. That the further sum of three thousand dollars be, and the same is hereby, appropriated, to be paid annually in equal quarterly installments, for the sole and exclusive use of the colored blind children of this Commonwealth, which money shall be expended in a similar manner and under the same limitations that the money appropriated for the use of the white blind children in said institution is now expended: *Provided, however*, That no portion of the sums hereby appropriated shall be paid until the building aforesaid is completed and paid for, and made ready for the use and occupation of the colored blind children of this Commonwealth, and of this fact the Auditor of Public Accounts is first duly certified in writing by the president and the secretary of the Board of Visitors of the Kentucky Institution for the Education of the Blind.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were--

M. C. Alford,	T. S. Grundy,	J. T. Simon,
A. S. Berry,	R. G. Hays,	D. H. Smith,
S. H. Boles,	S. E. Hill,	J. R. W. Smith,
J. W. Bryan,	H. T. Kendall,	E. R. Sparks,
A. R. Byers,	J. H. McDanell,	R. S. Triplett,
W. J. Caudill,	L. W. McKee,	F. T. D. Wallace,
C. M. Clay, Jr.,	W. F. Neat,	E. L. Worthington,
W. M. Cravens,	J. W. Ogilvie,	J. H. Wilson—26.
W. H. Frederick,	F. D. Rigney,	

Those who voted in the negative, were—

R. A. Burnett, J. N. Price—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Berry, from the Committee on Education, to whom was recommitted a bill from the House of Representatives, entitled

An act to repeal all acts or parts of acts that gave to normal schools, etc., the right to issue diplomas or certificates to persons to teach in the common schools of this State,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter a diploma or certificate which has been or may hereafter be issued to any person by any normal school, college, seminary, academy or any other school shall not entitle the holder to teach in any of the common schools of this State. But before they shall be deemed qualified teachers in the common schools of this State they must obtain a certificate from the State or county board of examiners under the common school law of this State.

§ 2. That all acts or parts of acts conferring the right to normal or any other schools of this State to award diplomas or certificates that entitle the holder to teach in any of the common schools of this State, or that requires the State board of examiners to do so on the presentation of a diploma or certificate from any school in this State are hereby repealed.

§ 3. This act shall not be construed as to apply to the State normal school at Lexington.

§ 4. That all acts or parts of acts in conflict with this act are hereby repealed.

§ 5. That this act shall be in force from and after its passage

Mr. Boles moved that said bill be recommitted to the Committee on Education.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boles and Wilson, were as follows, viz:

In the affirmative—W. H. Frederick—1.

Those who voted in the negative, were—

J. W. Bryan,	F. M. Clement,	F. D. Rigney,
R. A. Burnett,	W. F. Neat,	J. T. Simon,
A. R. Byers,	J. W. Ogilvie,	R. S. Triplett,
C. M. Clay, Jr.,	J. N. Price,	J. H. Wilson—12.

Mr. Clement moved a call of the Senate.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Price and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	J. W. Ogilvie,	R. S. Triplett,
A. R. Byers,	F. D. Rigney,	J. H. Wilson—8.
F. M. Clement,	J. T. Simon,	

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	J. N. Price,
W. J. Caudill,	T. S. Grundy,	D. H. Smith,
C. M. Clay, Jr.,	R. G. Hays,	J. R. W. Smith,
W. M. Cravens,	S. E. Hill,	F. T. D. Wallace—12.

Mr. D. H. Smith moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. M. Cravens,	D. H. Smith,
S. H. Boles,	W. H. Frederick,	E. R. Sparks,
W. J. Caudill,	S. E. Hill,	F. T. D. Wallace—11.
C. M. Clay, Jr.,	J. N. Price,	

Those who voted in the negative, were—

J. W. Bryan,
R. A. Burnett,
A. R. Byers,
F. M. Clement,
T. S. Grundy,
R. G. Hays,
W. F. Neat,
J. W. Ogilvie,
F. D. Rigney,
J. T. Simon,
J. R. W. Smith,
R. S. Triplett,
J. H. Wilson—13.

Mr. Boles moved to amend said bill as follows, viz:

Amend said bill as follows, viz: By striking out the third section thereof.

On motion of Mr. Burnett,

Ordered, That said bill and proposed amendment thereto be recommitted to the Committee on Education, with instructions to report said bill back to the Senate on Friday, May 7th, at 10:30 o'clock A. M.

The Senate took up for consideration the amendment heretofore entered by Mr. D. H. Smith to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to authorize the County Court of Warren county to subscribe stock in turnpike roads in said county.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading were then reconsidered.

Mr. D. H. Smith moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boles moved the following resolution, viz:

Resolved by the Senate, That in the further consideration of the revenue bill no Senator shall speak longer than five minutes to any one question, nor more than once upon any one question unless by unanimous consent of the Senate.

Mr. Caudill moved the following amendment to said resolution as a substitute therefor, viz:

Resolved, That speeches on the revenue bill be limited to ten minutes by each Senator desiring to speak on the question.

And the question being taken thereon, it was decided in the negative.

Mr. Kendall moved to amend said resolution as follows, viz:

Strike out "five," where it occurs therein, and insert "fifteen."

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. M. Cravens,	J. T. Simon,
A. S. Berry,	Henry Dixon,	D. H. Smith,
S. H. Boles,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	T. S. Grundy,	E. R. Sparks,
A. R. Byers,	S. E. Hill,	R. S. Triplett,
W. J. Caudill,	W. F. Neat,	E. L. Worthington,
C. M. Clay, Jr.,	J. W. Ogilvie,	F. T. D. Wallace—23.
F. M. Clement,	F. D. Rigney,	

Those who voted in the negative, were—

J. W. Bryan,	H. T. Kendall,	J. N. Price,
R. G. Hays,	J. H. McDanell,	J. H. Wilson—6.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to regulate and define the rights and powers of certain street railway companies in Jefferson county, viz: The Beargrass Railway Company, the Central Passenger Railroad Company, and the Jefferson Railway Company;

An act to repeal an act, entitled "An act to incorporate the town of Harmony, in Owen county," and all acts amendatory thereof;

An act for the benefit of Frederick Eddinger, of Jefferson county;

An act to allow F. B. McCollum, of Livingston county, to practice medicine without first having a diploma or certificate as required by the laws of this Commonwealth;

An act to amend an act, entitled "An act to incorporate Carr Institute;"

An act to amend section 11, of article 1, of an act to amend an act and reduce into one the several acts in regard to the city of Lebanon, approved March 3, 1884;

An act to create an additional Justices' district in Perry county, and change and fix the voting place in the third magisterial district, in said county;

An act to repeal section 4, of an act to amend an act, entitled "An act amending and reducing into one the several acts relating to the town of Scottsville," approved February 28, 1860, and the amendments thereto, which act was approved April 2, 1884;

An act to amend an act, entitled "An act authorizing the Judge of the Lewis County Court to subscribe stock in Maysville and Big Sandy Railroad Company, and providing for the issual of the bonds of Lewis county, to raise said sums, and levy a tax to pay the interest on the bonds, and to pay off the bonds," approved March, 1886;

And enrolled bills and resolutions which originated in the Senate, of the following titles, viz:

An act for the benefit of J. C. Smock, of Mercer county;

An act to amend section 601, of the Civil Code of Practice;

An act for the benefit of D. B. Edmonston, committee for George Delaney, of Lincoln county;

An act to amend article 12, chapter 33, of the General Statutes, relating to bribery in elections;

An act for the benefit of the branch Penitentiary at Eddyville;

An act to allow water-gaps on Quick Sand, in Breathitt county;

An act to authorize D. R. Carr, Special Judge of the Barren Circuit Court at its March term, 1886, to sign orders and judgments made by him at said term of said court;

Resolution in regard to copies of act allowing defendants to testify in criminal cases;

Resolution fixing day for *sine die* adjournment of the present session of the General Assembly;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

[*For bill, see Senate Journal of April 21st.*]

Mr. Triplett moved to reconsider the vote by which the Senate had heretofore adopted an amendment to section 2, of article 6, proposed by Mr. Kendall, which reads as follows, viz:

Amend section 2, of article 6, by striking out the words "fair and," in the fourth line, and add the word "cash," after the word "full."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kendall and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	R. G. Hays,	F. D. Rigney,
J. W. Bryan,	H. T. Kendall,	J. T. Simon,
R. A. Burnett,	W. F. Neat,	F. T. D. Wallace,
W. J. Caudill,	J. W. Ogilvie,	J. H. Wilson—13.
F. M. Clement,		

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	D. H. Smith,
A. R. Byers,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	J. H. McDanell,	E. R. Sparks,
W. M. Cravens,	L. W. McKee,	E. L. Worthington,
W. H. Frederick,	J. N. Price,	R. S. Triplett—15.

Mr. Triplett moved to reconsider the vote by which the Senate had heretofore adopted an amendment proposed by Mr. Hays to section 9, of article 6, which reads as follows, viz:

Strike out of the eighth line the word "fair," and insert in lieu thereof the word "full."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

Mr. Triplett moved to reconsider the vote by which the Senate had adopted an amendment proposed by Mr. Kendall to section 13, article 6, which reads as follows, viz:

Amend by striking out the word "fair," and inserting the word "full" in the eighth line of section 13.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

Mr. Clay moved to amend said bill as follows, viz:

Amend section 1, of article 1, by striking out "forty-seven cents," and inserting in lieu thereof "fifty-five cents," and by striking out all of the bill after article 2.

Mr. Kendall moved that the further consideration of said proposed amendment be postponed until the last section of the bill was disposed of.

Mr. Clement moved that the further consideration of said proposed amendment be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the motion made by Mr. Kendall, and it was decided in the negative.

Mr. Triplett moved that the further consideration of said bill and proposed amendments be postponed until Friday, May 7th, at 10:30 A. M.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed to said bill by Mr. Clay, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Caudill and Grundy, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. N. Price,
A. S. Berry,	T. S. Grundy,	D. H. Smith,
C. M. Clay, Jr.,	J. H. McDanell,	J. R. W. Smith—9.

Those who voted in the negative, were—

S. H. Boles,	R. G. Hays,	J. T. Simon,
J. W. Bryan,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	W. F. Neat,	F. T. D. Wallace,
F. M. Clement,	J. W. Ogilvie,	E. L. Worthington,
Henry Dixon,	F. D. Rigney,	J. H. Wilson—18.

Mr. D. H. Smith moved an amendment to said bill as a substitute therefor.

[*For substitute, see Senate Journal April 21st*]

Mr. Kendall moved to amend said proposed substitute as follows, viz:

Amend section 1, of article 1, by striking out "forty-seven cents," and inserting in lieu thereof "thirty-seven cents."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kendall and Grundy, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers,	H. T. Kendall,	D. H. Smith,
C. M. Clay, Jr.,	W. F. Neat,	J. H. Wilson—7.
T. S. Grundy,		

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	F. D. Rigney,
A. S. Berry,	W. H. Frederick,	J. T. Simon,
S. H. Boles,	R. G. Hays,	J. R. W. Smith,
J. W. Bryan,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	J. H. McDanell,	R. S. Triplett,
W. J. Caudill,	L. W. McKee,	E. L. Worthington,
F. M. Clement,	J. W. Ogilvie,	F. T. D. Wallace—23.
W. M. Cravens,	J. N. Price,	

Mr. Hill moved to amend said proposed substitute as follows, viz:

Amend section 8, article 6, by striking out all of said section commencing with the word "four" in the ninth line, and substitute the following, viz: "Two cents on the one hundred dollars on the first million; one cent on the one hundred dollars on the excess over one million, and in addition the Assessor shall be paid seven and a half cents per tithe returned by him."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Clay, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	D. H. Smith,
S. H. Boles,	S. E. Hill,	E. R. Sparks,
J. W. Bryan,	J. N. Price,	R. S. Triplett—9.

Those who voted in the negative, were—

A. S. Berry,	Henry Dixon,	J. T. Simon,
R. A. Burnett,	T. S. Grundy,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	F. T. D. Wallace,
W. J. Caudill,	L. W. McKee,	E. L. Worthington,
C. M. Clay, Jr.,	W. F. Neat,	J. H. Wilson—17.
F. M. Clement,	F. D. Rigney,	

Mr. Clay moved to amend said proposed substitute as follows, viz:

Amend substitute by striking out "September 15th," and inserting "January 10th," as date of assessment.

And the question being taken thereon, it was decided in the negative.

Mr. Hays moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Clay moved to amend said proposed substitute as follows, viz:

Provided, Nothing in article 6 shall be construed as to require an owner to swear to the value of his property.

Mr. Boles moved to amend said proposed substitute as follows, viz:

Amend by striking out all after the word "shall," in line 12, of section 8, of article 6, and inserting in lieu thereof the following, viz: "Be based upon the lists of taxable property returned by him, and for each list he shall receive fifteen cents. All the property listed by the tax payer to count as one list."

Mr. Sparks moved to amend said proposed substitute as follows, viz:

Amend section 21, article 5, by striking from the second and third lines of said section the words, "nor any room opening into the same."

Mr. J. R. W. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Clay to the proposed substitute, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cravens and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	J. H. McDanell,	E. R. Sparks,
C. M. Clay, Jr.,	J. N. Price,	E. L. Worthington,
W. H. Frederick,	J. T. Simon,	R. S. Triplett—11.
T. S. Grundy,	D. H. Smith,	

Those who voted in the negative, were—

A. S. Berry,	W. M. Cravens,	J. W. Ogilvie,
S. H. Boles,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	F. T. D. Wallace,
W. J. Caudill,	W. F. Neat,	J. H. Wilson—16.
F. M. Clement,		

The question was then taken on the adoption of the amendment proposed by Mr. Boles to said proposed substitute, and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Sparks to said proposed substitute, and it was decided in the affirmative.

Mr. Hays moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Kendall moved a call of the Senate.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and McKee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	L. W. McKee,	F. D. Rigney,
J. W. Bryan,	W. F. Neat,	J. T. Simon,
A. R. Byers,	J. W. Ogilvie,	J. R. W. Smith,
S. E. Hill,	J. N. Price,	F. T. D. Wallace—13.
H. T. Kendall,		

Those who voted in the negative, were—

W. J. Caudill,	E. R. Sparks,	E. L. Worthington,
C. M. Clay, Jr.,	R. S. Triplett,	J. H. Wilson—7.
J. H. McDanell,		

The roll of the Senate was then called, and the following Senators responded to their names, viz:

M. C. Alford,	S. E. Hill,	J. T. Simon,
S. H. Boles,	H. T. Kendall,	D. H. Smith,
J. W. Bryan,	J. H. McDanell,	J. R. W. Smith,
R. A. Burnett,	L. W. McKee,	E. R. Sparks,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
C. M. Clay, Jr.,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	J. N. Price,	E. L. Worthington,
T. S. Grundy,	F. D. Rigney,	J. H. Wilson—25.
R. G. Hays,		

Messrs. Albritton, Bush, Feland, Gilbert, Harris, Martin and Taulbee were absent on leave.

The Speaker of the Senate ordered the Sergeant-at-Arms to close the doors and bring in the absent Senators.

Mr. Hays moved that the Senate do now adjourn until to-morrow at 10 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

Mr. Price moved to dispense with further proceedings under the call.

And the question being taken thereon, it was decided in the negative.

The Sergeant-at-Arms brought Mr. Cravens before the bar of the Senate.

Mr. Burnett moved that the Senate excuse Mr. Cravens for his absence.

And the question being taken thereon, it was decided in the affirmative.

The Sergeant-at-Arms brought Mr. Caudill before the bar of the Senate.

Mr. Hill moved that the Senate excuse Mr. Caudill for his absence.

And the question being taken thereon, it was decided in the affirmative.

Pending further proceedings under the call the hour of 2 o'clock P. M. having arrived, the Senate adjourned until 4 o'clock.

The Senate met pursuant to adjournment.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Madison and South-eastern Railway Company.

An act to prohibit the sale of spirituous, vinous or malt liquors or intoxicating beverage in quantities less than ten gallons within five miles of Union College, in Knox county.

An act concerning license taxes in the city of Louisville.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to amend and reduce into one all the acts and amendments to the charter of the town of Germantown, in Mason and Bracken counties."

2. An act to provide for appointing and electing commissioners for the county of Boone, and defining their duties and the duties of other county officers whose duties are connected with the duties of said commissioners.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

The first-named bill was referred to the Committee on the Judiciary,

And the second-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Caudill, from the Committee on Internal Improvements—

An act relating to branding logs on the Kentucky and Cumberland rivers and their tributaries.

By Mr. Berry, from the Committee on Education—

An act to incorporate the Normal and Business College of Central Kentucky.

By Mr. Price, from the Committee on Claims—

An act for the benefit of J. H. Emmons, Marshal of the city of Ashland, Kentucky.

By Mr. Berry, from the Committee on Education—

An act to amend the charter of Eminence College, at Eminence, Henry county, Kentucky.

By same—

An act to legalize certain acts where districts have voted and collected a special school tax for the purposes of tuition, and to authorize the trustees to extend school term in such districts beyond a five months' term.

By Mr. Clement, from the Committee on Claims—

An act for the benefit of Mrs. E. E. Bone, of Hickman county.

By Mr. Grundy, from the Committee on Agriculture and Manufactures—

An act to incorporate the town of Mackville, in Washington county.

By Mr. Byers, from the Committee on Public Health—

An act to amend the charter of the Kentucky State Dental Association.

By Mr. Hill, from the Committee on Courts of Justice—

An act to incorporate the Frankfort Heating Company.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to amend an act, entitled "An act authorizing the Chicago, St. Louis and New Orleans Railroad Company and the Illinois Central Railroad Company, or either of them separately, to build and maintain a railroad bridge across the Ohio river," approved March 29, 1886.

By Mr. Clement, from the Committee on Claims—

An act for the benefit of the town of Brooksville, in Bracken county.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to incorporate the Farmers' and Drovers' Bank of Eminence.

By Mr. Wilson, from the Committee on General Statutes—

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts and laws in relation to the town of Williamsburg, in Whitley county," approved February 9, 1884.

By Mr. Frederick, from the Committee on Internal Improvements—

An act to incorporate the Commonwealth Coal, Iron and Manufacturing Company.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to incorporate the Kentucky Life and Accident Insurance Company.

With amendments to the two last-named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Public Expenditures—

A bill concerning license taxes in the city of Louisville.

By Mr. Alford, from the Committee on Courts of Justice—

A bill to authorize the city of Lexington to issue bonds to the amount of $30,000 for school purposes, and levy an additional tax for the payment of same.

By Mr. D H. Smith, from the Committee on General Statutes—

A bill in relation to common school districts in Larue county.

By Mr. Hill, from the Committee on Courts of Justice—

A bill to regulate the jurisdiction of the Jessamine County Quarterly Court.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company, being chapter 438, of the acts of 1883-84," and all acts amendatory thereof.

And the question being taken, "Shall the Senate recede from or adhere to its amendment adopted to said bill?" it was decided that the Senate adhere to said amendment.

Mr. McKee, from the Committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled

An act to amend the laws in relation to the city of Frankfort,

Reported the same without amendment.

Ordered, That said bill be recommitted to the Committee on Internal Improvements.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend section 5, article 29, chapter 29, of the General Statutes, entitled "Crimes and Punishments."

The question pending being upon the adoption of an amend-

ment heretofore proposed to said bill by the Committee on General Statutes.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act for the benefit of J. I. Denton, of Grayson county,

And the question being taken thereon, it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Kendall, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act to define the duties and fix the compensation of the Public Printer and Binder," approved March 11, 1878,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wilson objected to the further reading of said bill on this day.

So said bill fell into the orders of the day.

Mr. Sparks, from the Committee on Agriculture and Manufactures, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to amend the charter of the Danville and Hustonville Turnpike Road Company."

An act to repeal an act, entitled "An act to amend the charter of the Danville and Hustonville Turnpike Road Company,"

Reported the same without amendment.

Ordered, That said bills be recommitted to the Committee on the Judiciary.

Mr. Boles, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of W. Logan Caldwell, late Sheriff of Boyle county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, Samuel Harding, Esq., at the time County Attorney of Boyle county, caused J. W. Gregory (now dead), one of the executors of Francis Clark, deceased, to come into the Boyle County Court on the ——— day of ————, 1876, and list for back taxes the following sums, to wit: For the year, 1868, $8,850; 1869, $12,350; 1870, $8,200; 1871, $6,800; 1872, $6,900, and for 1873, $7,050; and whereas, said sums were duly entered upon the Sheriff's book, then in the hands of W. Logan Caldwell, Sheriff of Boyle county, to collect the back taxes thereon; and whereas, it appears that said sums were distributed among the heirs of said Francis Clark, said sums being the amounts found in the hands of said executor due said estate by his settlement in the County Court for the years therein named; and whereas, there was no property in the hands of said executor at the time said assessment was made out of which he could raise money to pay off said taxes, and nothing upon which Sheriff Caldwell could levy upon to make said taxes; and whereas, said Caldwell, as Sheriff aforesaid, having been charged with said back taxes due the State on said assessment had to pay and did pay the same in full, which amounted to one hundred and eighty-six dollars and twelve cents ($186.12) to Hon. D. Howard Smith, Auditor for the State of Kentucky, although he had never collected one cent of same; and whereas, the records of the Boyle County Court show that said court released said Sheriff Caldwell from paying the county levy on said assessment for back taxes on account of said Sheriff not being able to collect any part of same; now, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts for the Commonwealth of Kentucky be, and he is hereby, directed

to draw his warrant on the Treasurer of the Commonwealth of Kentucky for the sum of one hundred and eighty-six dollars and twelve cents ($186.12) in favor of W. Logan Caldwell to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. That this act take effect upon and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. M. Cravens,	J. W. Ogilvie,
S. H. Boles,	W. H. Frederick,	F. D. Rigney,
J. W. Bryan,	T. S. Grundy,	D. H. Smith,
R. A. Burnett,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	S. E. Hill,	E. R. Sparks,
W. J. Caudill,	H. T. Kendall,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. H. McDanell,	E. L. Worthington,
F. M. Clement,	L. W. McKee,	J. H. Wilson—24.

In the negative—none.

Resolved, That the title of said bill be as aforesaid

The Senate, by unanimous consent, took up for consideration a bill which originated in the House of Representatives, entitled

An act to incorporate the Paducah and Fort Jefferson Railroad Company.

On motion of Mr. J. R. W. Smith,

Ordered, That said bill be recommitted to the Committee on Railroads.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was recommitted a bill from the House of Representatives, entitled

An act to incorporate the Paducah and Fort Jefferson Railroad Company,

Reported the same with an amendment as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, took up for consideration the motion heretofore entered by Mr. Hays to reconsider the vote by which the Senate had discharged the Committee on Finance from the further consideration of a leave to bring in a bill, entitled

A bill for the benefit of Grayson county.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on discharging the committee from the further consideration of said leave, and it was decided in the negative.

Whereupon, Mr. Hays, from the Committee on Finance, reported a bill, entitled

A bill for the benefit of Grayson county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, It is authoritatively represented to this General Assembly that Grayson county, in 1868, voted a subscription of $200,000 to the capital stock of the Elizabethtown and Paducah Railroad Company, and issued seven per cent. twenty-year bonds in payment of said subscription, dated October 1, 1868; and whereas, the said subscription of $200,000 was voted and made with the belief that said county would have a like amount of paying capital stock in said company, all of which has been lost on account of the failure of said company; and whereas, about $160,000 of said indebtedness remains unpaid at this date, the greater part of which has been funded by said county by issuing six per cent. bonds, pursuant to an act of the General Assembly, approved April 8, 1882; and whereas, said debt is very burdensome to her people, but said county is promptly paying the interest on her bonded debt, and is annually paying off part of the principal of said debt; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Grayson county be relieved from all liability to the State of Kentucky on account of the tax arising from affixing the seal of said county to said six per cent. bonds, issued under said act of April 8, 1882. This act to apply to all bonds that may be hereafter issued under this act, as well as to all bonds issued thereunder previous to this act.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	F. D. Rigney,
S. H. Boles,	T. S. Grundy,	D. H. Smith,
J. W. Bryan,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	S. E. Hill,	E. R. Sparks,
W. J. Caudill,	H. T. Kendall,	F. T. D. Wallace,
F. M. Clement,	J. H. McDanell,	J. H. Wilson—20.
W. M. Cravens,	J. W. Ogilvie,	

Those who voted in the negative, were—

E. L. Worthington, C. M. Clay, Jr.—2.

Resolved, That the title of said bill be as aforesaid.

And then the Senate adjourned.

FRIDAY, MAY 7, 1886.

The reading of the Journal of yesterday was dispensed with.

Mr. Wallace, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to authorize the Board of Trustees of Catlettsburg to license, tax and regulate the sale of spirituous, malt and vinous liquors within said town,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the Senate, of the following titles, viz:

An act to prevent the running at large of horses, cows, sheep, hogs and other domestic animals in Christian county.

An act to extend and define the boundary of the city of Newport.

An act for the benefit of Park Haynes and other persons.

An act to amend the charter of the town of Taylorsville, passed at the present session.

An act to amend an act, entitled "An act to incorporate the town of Dunville, in Casey county," approved March 30, 1878.

An act to authorize the trustees of school district No. 16, in Campbell county, to levy an ad valorem tax for the purpose of paying off the indebtedness on the district school-house therein, and to finish up said house.

An act to amend an act, entitled "An act empowering St. Paul's P. E. Church, of Newport, to bond its debt," approved March 23, 1886.

An act to authorize the Daviess County Court to borrow and use its surplus fund collected for railroads, bond and coupon purposes in constructing a new jail.

An act for the benefit of J. H. Wells, of Breckinridge county.

An act to amend the charter of the Ohio Valley Railway Company.

An act to amend an act, entitled "An act to establish a Board of Commissioners for Floyd county, and to define their duties and the duties of other county officers whose duties are connected with the duties of said Commissioners," approved April 10, 1886.

An act to amend an act, entitled "An act to amend the charter of the town of Berryville, and change the name thereof," approved April 9, 1880.

An act to incorporate the Dunville Cornet Band Company.

An act to incorporate the Washington County Banking Company.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867, and the several acts amendatory thereto.

An act to amend an act to charter the Marion School Association, in Crittenden county, approved February 16, 1869.

An act establishing the Fountain Ferry Landing and Wharf, in Jefferson county, on the Ohio river, from the foot of the Fountain Ferry road along the eastern bank of said Ohio river to the foot of Chestnut street extended, and fixing the wharf charges.

An act giving the school trustees in district No. 23, in Metcalfe county, power to have the common school taught at the Summer Shade Institute.

An act to amend the charter of the Shelby Railroad Company.

An act to prevent stock from running at large in Pendleton county.

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors within one and one-half miles of Shady Grove Church, in Casey county," approved February 21, 1884.

With amendments to the four last-named bills.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the town of Fredonia."

2. An act to amend an act to regulate the sale of fertilizers in this Commonwealth, and to protect the agriculturists in the purchase and use of same, approved April 13, 1886.

3. An act to prohibit the sale of spirituous, vinous and malt liquors, in Breckinridge county.

4. An act to consolidate the Weston Electric Light Company, of Lexington, Kentucky, and the Excelsior Electric Light, Heating and Motive Power Company.

5. An act for the benefit of the Trustee of the Jury Fund of Marion county.

6. An act for the benefit of the Millersburg Cemetery Company, incorporated by an act approved February 28, 1860.

7. An act to prohibit the sale of liquors within 1,000 yards of Thompson's depot or station, on the Ohio Valley Railway Company, in Union county.

8. An act to prohibit the sale of spirituous liquor within one mile of Sacred Heart Church, in Union county.

9. An act to amend the charter of the town of Guthrie, in Todd county, Ky., passed March 30, 1878.

10. An act to prohibit the sale of spirituous, vinous and male liquors within two miles of Big Meadow Church, in Metcalft county.

11. An act to incorporate the Western Kentucky Mining, Manufacturing and Transportation Company.

12. An act to incorporate the Central Kentucky Mutual Insurance Company.

13. An act to amend the charter of the city of Dayton, in Campbell county.

14. An act to authorize the town of Danville to raise money to aid in the construction of railroads.

15. An act to amend the charter of the town of Prestonville.

16. An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors and mixtures of same, and all bitters which intoxicate, in Graves county, and to provide for a vote thereon," approved February 27, 1886.

17. An act authorizing a sale of the Infirmary farm and buildings, in Lewis county.

18. An act to regulate tolls on the Boonesboro and Combs' Ferry Turnpike Road.

19. An act requiring the Court of Claims, of Simpson county, Kentucky, to make compensation to road overseers in said county.

20. An act to incorporate the Little Fork Coal Company, in Carter county.

21. An act to authorize J. D. Atchison, Judge of the Daviess County Court, to sign certain orders of said court.

22. An act for the benefit of Augustus Arnett, Clerk of the Magoffin Circuit Court.

23. An act to change the voting place in district known as Forks district, in Estill county.

24. An act to change the boundary line between school districts Nos. 47 and 50, in Clark county.

25. An act, entitled "An act to incorporate the Deposit Bank of Russellville, Ky."

26. An act to regulate official advertising in Jefferson county.

27. An act to repeal an act, entitled "An act to authorize and empower the county of Muhlenberg to compromise and fund its outstanding bonded indebtedness," approved March 18, 1878, and all acts amendatory thereto.

28. An act to provide for the compensation of members of the Board of Health, of Boyd county.

29. An act to create and establish a new voting precinct in the county of Christian.

30. An act to incorporate the Home School for Girls, in the city of Henderson.

31. An act declaring Pittman's creek, in Green and Taylor counties, a lawful fence for two years.

32. An act to enable T. F. Wilborn, of Crittenden county, to adopt Cora Ennis as his heir at law.

33. An act to amend an act, entitled "An act to amend and reform the common school laws of this Commonwealth," chapter 1330, approved May 12, 1884.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 3d, 6th, 7th, 8th and 16th to the Committee on Religion and Morals ; the 9th, 13th, 17th and 19th to

the Committee on the Judiciary; the 12th and 25th to the Committee on Banks and Insurance; the 14th and 18th to the Committee on Agriculture and Manufactures; the 15th, 20th and 26th to the Committee on General Statutes; the 4th, 21st, 22d and 27th to the Committee on Courts of Justice; the 23d to the Committee on Privileges and Elections; the 24th and 30th to the Committee on Education, and the 31st to the Committee on Propositions and Grievances,

And the 1st, 2d, 5th, 10th, 11th, 28th, 29th and 32d named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Berry,

Ordered, That the further consideration of the 33d named bill be postponed, and that said bill be made the special order of the day for Tuesday, May 11th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Clement, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act releasing Kelly Hogg, of Letcher county, of the interest in six bonds executed by him to D. Howard Smith for the use of the Commonwealth of Kentucky on the fifth day of May, 1879,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Caudill moved that the rules be suspended, and that said bill be taken up for consideration.

And the question being taken thereon, it was decided in the negative.

Mr. Grundy moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Frankfort Heating Company.

Mr. McKee moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Bills of the following titles were reported from the several committees who were directed to bring in the same, viz:

By Mr. Hays, from the Committee on Finance—

A bill concerning the deposits of the city of Louisville.

By Mr. D. H. Smith, from the Committee on General Statutes—

A bill for the benefit of W. C. Woodward, as guardian of Edward Paxton.

By Mr. Worthington, from the Committee on Propositions and Grievances—

A bill to allow J. B. Scholl, of Russell county, to practice medicine without first having a diploma or certificate as required by the laws of this Commonwealth.

By Mr. Wilson, from the Committee on General Statutes—

A bill to amend an act, entitled "An act to amend article 2, chapter 33, of the General Statutes, entitled "Elections," approved March 8, 1876.

By Mr. Hays, from the Committee on Finance—

A bill amending an act in relation to loans made by the Sinking Fund Commissioners of the city of Louisville to the city of Louisville, limiting the loan to $50,000 in any one year.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

A bill to authorize the improvement of an extension of East Broadway street, in Jefferson county.

By Mr. Clement, from the Committee on Claims—

A bill for the benfit of B. J. Winsett, of Larue county.

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Cumberland River Railroad Company."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Grundy, from the Committee on Propositions and Grievances—

An act declaring Billey's Fork and Stewart's Fork, of Miller's Creek, in Estill county, navigable streams.

By Mr. Simon, from the Committee on Codes of Practice—

An act to amend an act, entitled "An act to incorporate the town of Horse Cave, in Hart county," approved March 15, 1869.

By Mr. Hill, from the Committee on Courts of Justice—

An act defining the jurisdiction of the Quarterly Court of the county of Carlisle.

By Mr. Rigney, from the Committee on Military Affairs—

An act to create a voting precinct in Anderson county.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to incorporate the Kentucky Midland Railroad Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wilson moved to reconsider the vote by which the Senate had passed the last-named bill.

Which motion was simply entered.

Mr. Price, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of E. H. Taylor, Franklin county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

WHEREAS, E. H. Taylor, of Franklin county, acted as Warden of the Penitentiary, under a salary, and by the contract a residence was to have been furnished said Taylor in addition to the moneyed consideration; and whereas, no such residence was furnished, and said Taylor was compelled to pay for a residence during the sixteen months and eight days that he acted as Warden the sum of $630 for house rent; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $630 be, and the same is hereby, appropriated to said E. H. Taylor, of Franklin county, out of any money in the Treasury not otherwise appropriated, and the Auditor is hereby directed to draw his warrant for said sum.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative for want of a constitutional majority.

So said bill was rejected.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	F. D. Rigney,
A. S. Berry,	T. S. Grundy,	J. T. Simon,
S. H. Boles,	J. H. McDanell,	J. R. W. Smith,
J. W. Bryan,	L. W. McKee,	E. L. Worthington,
W. W. Bush,	J. N. Price,	F. T. D. Wallace—16.
C. M. Clay, Jr.,		

Those who voted in the negative, were—

R. A. Burnett,	R. G. Hays,	R. S. Triplett,
A. R. Byers,	W. F. Neat,	J. H. Wilson—8.
W. J. Caudill,	D. H. Smith,	

Mr. Berry, from the Committee on Education, to whom was recommitted a bill from the House of Representatives, entitled

An act to repeal all acts or parts of acts that gave to normal schools, etc., the right to issue diplomas or certificates to persons to teach in the common schools of this State,

Reported the same without amendment.

[*For bill, see Senate Journal, May 6th.*]

The question was then taken on the adoption of the amendment heretofore proposed by Mr. Boles to said bill, and it was decided in the negative.

[*For amendment, see Senate Journal, May 6th.*]

The yeas and nays being required thereon by Messrs. Caudill and Berry, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. M. Cravens,	L. W. McKee,
F. M. Clement,	R. G. Hays,	J. H. Wilson—6.

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	J. W. Ogilvie,
A. S. Berry,	T. S. Grundy,	J. N. Price,
J. W. Bryan,	S. E. Hill,	J. T. Simon,
W. W. Bush,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	J. H. McDanell,	E. L. Worthington,
W. J. Caudill,	W. F. Neat,	R. S. Triplett—19.
C. M. Clay, Jr.,		

Mr. Boles moved to amend said bill as follows, viz:

Amend section 3 by adding the following, viz: Nor shall the provisions of this act apply to the normal school at Glasgow, in Barren county, Kentucky.

And the question being taken thereon, it was decided in the affirmative.

Mr. Bush moved to amend said bill as follows, viz:

Amend section 3 by adding the following, viz: Nor shall the provisions of this act apply to the Southern Normal School, located at Bowling Green.

And the question being taken thereon, it was decided in the affirmative.

Mr. Clement moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

So said bill was disagreed to.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act regulating the exemption of personal property from execution, attachment, distress for rent and fee bills, in this Commonwealth.

On motion of Mr. Simon,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday, May 11, 1885, at 10:30 o'clock A. M., and from day to day until disposed of.

On motion of Mr. J. R. W. Smith,

Ordered, That the Committee on Charitable Institutions be instructed to report back to the Senate on Tuesday, May 11th, at 10:30 o'clock A. M., a bill, entitled

An act for the benefit of the Kentucky Manufacturing Establishment for the Blind.

A message was received from the House of Representatives, asking the appointment of a committee of conference on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives, to take into consideration the disagreement of the two Houses to an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," being chapter 438, Session Acts 1883–84, and all acts amendatory thereof.

Which was granted.

Whereupon the Speaker appointed Messrs. Bryan, Simon and Hill said committee on the part of the Senate.

A message was received from the House of Representatives, asking the appointment of a special committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives, to take into consideration

The reports of the Commissioners of the Sinking Fund on the treatment of convicts engaged in mining coal.

Which was granted.

Whereupon the Speaker announced the appointment of Messrs. Bryan, Kendall, Gilbert, Simon and Wallace said committee on the part of the Senate.

Mr. Wallace moved to reconsider the vote by which the Senate had rejected a bill, entitled

An act to quiet land titles in this Commonwealth.

Which motion was simply entered.

Mr. Clay withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act in reference to the subscriptions by Bourbon county to the capital stock of turnpike roads in said county.

On motion of Mr. Berry,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the disagreement by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 8, 1880.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, May 7, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

J. R. Rice, Bell county.
J. P. Martine, Jefferson county.
J. S. Bell, Jefferson county.
Ben. F. Thomas, Kenton county.
Dan. S. McMillin, Monroe county.
Henry C. Hazlewood, Jackson county.
Lindsey Lane, Floyd county.
George R. Gorin, Warren county.
A. T. Keen, Pulaski county.
R. B. Moore, Campbell county.
Edward Helm, Campbell county.
M. M. Hubbard, Jefferson county.
James W. Scholl, Montgomery county.
John A. Stratton, Jefferson county.
George A. Bryan, Bourbon county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Neat—

1. A bill for the benefit of J. B. Scholl, of Russell county.

On motion of Mr. D. H. Smith—

2. A bill for the benefit of W. C. Woodward, of Green county.

On motion of same—

3. A bill to quiet land titles in this Commonwealth.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on General Statutes the 2d, and the Committee on the Judiciary the 3d.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to charter the Henderson, Bowling Green and Somerset Railroad;

An act for the benefit of R. W. Noel;

An act to amend and reduce into one the several acts in relation to the Police Court of Elizabethtown;

An act to incorporate the Kentucky Fruit and Wine Company;

An act to fix and regulate the terms and times for the holding of the Circuit Courts of the Thirteenth Judicial District;

And enrolled bills which originated in the Senate of the following titles, viz:

An act to prohibit the sale of spirituous, vinous or malt liquors or intoxicating beverage in quantities less than ten gallons within five miles of Union College, in Knox county;

An act establishing the Fountain Ferry Landing and Wharf, in Jefferson county, on the Ohio river, from the foot of the Fountain Ferry Road along the eastern bank of said Ohio river to the foot of Chestnut street extended, and fixing the wharf charge;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

[*For bill, see Senate Journal, April 21st.*]

The question pending being upon the adoption of the amendment proposed by Mr. D. H. Smith as a substitute for said bill.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. J. Caudill,	S. E. Hill,
J. W. Bryan,	Henry Dixon,	D. H. Smith—8.
W. W. Bush,	R. G. Hays,	

Those who voted in the negative, were—

A. S. Berry,	T. S. Grundy,	F. D. Rigney,
S. H. Boles,	H. T. Kendall,	J. T. Simon,
R. A. Burnett,	J. H. McDanell,	J. R. W. Smith,
A. R. Byers,	L. W. McKee,	R. S. Triplett,
C. M. Clay, Jr.,	W. F. Neat,	F. T. D. Wallace,
F. M. Clement,	J. W. Ogilvie,	E. L. Worthington,
W. M. Cravens,	J. N. Price,	J. H. Wilson—22.
W. H. Frederick,		

Article 6 of said bill being under consideration.

Mr. D. H. Smith moved to amend section 15 of said bill as follows, viz:

Amend by striking from line 11 the words, "from its own knowledge."

And the question being taken thereon, it was decided in the negative.

Section 15 was then adopted.

Sections 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 were then each taken up, read and respectively adopted.

Mr. Simon moved to amend section 26 as follows, viz:

Nothing in this section shall be construed to give a portion of the fine under this section to the clerks.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said section, as amended, and it was decided in the affirmative.

Mr. Neat moved to amend section 27 as follows, viz:

Amend by striking out in sixth line of schedule, "value of improvements on each tract," and inserting in the fifth line the following: "Value of each tract with its improvements."

And the question being taken thereon, it was decided in the affirmative.

Mr. Boles moved to amend section 27 as follows, viz:

Strike out line 9, and add to line 8 "with improvements."

And the question being taken thereon, it was decided in the affirmative.

Mr. Alford moved to amend section 27 as follows, viz:

Strike out all from 10 to 24, both inclusive, and insert in lieu thereof, "number of horses, jacks or jennets."

And the question being taken thereon, it was decided in the negative.

Mr. Bryan moved to amend section 27 as follows, viz:

Amend line 48 by striking out "$30," and inserting "$50" in lieu thereof.

And the question being taken thereon, it was decided in the affirmative.

Mr. Caudill moved to strike out line 59 of section 27.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kendall and Caudill, were as follows, viz:

Those who voted in the affirmative, were--

M. C. Alford,	C. M. Clay, Jr.,	H. T. Kendall,
J. W. Bryan,	W. H. Frederick,	J. H. McDanell,
A. R. Byers,	T. S. Grundy,	L. W. McKee,
W. J. Caudill,	R. G. Hays,	W. F. Neat--12.

Those who voted in the negative, were—

S. H. Boles,	J. W. Ogilvie,	R. S. Triplett,
R. A. Burnett,	J. N. Price,	F. T. D. Wallace,
W. W. Bush,	F. D. Rigney,	E. L. Worthington,
F. M. Clement,	J. T. Simon,	J. H. Wilson—14.
S. E. Hill,	J. R. W. Smith.	

Mr. Bush moved to amend section 27 as follows, viz:

Amend line 59 by adding "in excess of $400 in value."

Mr. Hill moved to amend said amendment as follows, viz:

Strike out "$400," and insert "$250."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Bush, as amended, and it was decided in the affirmative.

Mr. Hill moved to amend section 27 as follows, viz:

Amend line 46 by adding the words and figures "in excess of 250."

And the question being taken thereon, it was decided in the affirmative.

Mr. Burnett moved to amend section 27 as follows, viz:

Amend line 58 by adding "exceeding $250 in value."

And the question being taken thereon, it was decided in the affirmative.

Mr. Bush moved to amend section 27 as follows, viz:

Insert "corporate" before "franchises," in line 61.

And the question being taken thereon, it was decided in the affirmative.

Mr. Neat moved to amend section 27 as follows, viz:

Amend line 62 by adding, "in excess of $150."

And the question being taken thereon, it was decided in the negative.

Mr. Neat moved to amend section 27 as follows, viz:

Amend by striking out line 71 of schedule.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of section 27, as amended, and it was decided in the affirmative.

Mr. Rigney moved to amend section 1, of article 7, of said bill, as follows, viz:

Strike out the words in line 7, "one and a half dollars," and insert in lieu thereof "three."

And the question being taken thereon, it was decided in the negative.

Mr. Caudill moved to amend section 1 as follows, viz:

Strike out "one and a half dollars" and insert "two dollars."

And the question being taken thereon, it was decided in the affirmative.

Mr. Clay moved to amend section 1 as follows, viz:

Strike out in section 1 the words, "five intelligent, discreet housekeepers, resident in different portions of the county, and no two of whom shall be appointed from the same district," and insert in lieu thereof the words, "one intelligent, discreet housekeeper from each magisterial district: *Provided*, That the whole number shall not exceed nine."

And the question being taken thereon, it was decided in the negative.

Mr. Worthington moved to amend section 1 as follows, viz:

Strike out "State" in eighth line, and insert "county."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Kendall, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	L. W. McKee,	D. H. Smith—5.
C. M. Clay, Jr.,	E. L. Worthington,	

Those who voted in the negative, were—

J. W. Bryan,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	H. T. Kendall,	J. T. Simon,
A. R. Byers,	J. H. McDanell,	J. R. W. Smith,
W. J. Caudill,	W. F. Neat,	R. S. Triplett,
F. M. Clement,	J. W. Ogilvie,	F. T. D. Wallace,
W. H. Frederick,	J. N. Price,	J. H. Wilson—19.
T. S. Grundy,		

The question was then taken on the adoption of section 1, as amended, and it was decided in the affirmative.

Section 2 was adopted.

Mr. Ogilvie moved to amend section 3 as follows, viz:

Insert in line 3, after the words "Kenton and Campbell," "and McCracken."

And the question being taken thereon, it was decided in the negative.

Mr. Wallace moved to amend section 3 as follows, viz:

Amend by striking out "six" in second line, and inserting "nine."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of section 3, as amended, and it was decided in the affirmative.

Sections 4, 5, 6, 7, 8, 9, 10 and 11 were then each taken up, read and severally adopted.

On motion of Mr. Wallace, the Senate then adjourned until 4 o'clock P. M.

The Senate met pursuant to adjournment.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Charleston, Kentucky and Western Railway Company,

Reported the same with an amendment thereto.

Mr. Caudill moved an amendment to said amendment.

Which was adopted.

The question was then taken on the adoption of the amendment proposed by the committee to said bill, as amended, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend the charter of the Shelby Railroad Company.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Clay moved to reconsider the vote by which the Senate had concurred in the adoption of said amendment.

Which motion was simply entered.

Mr. Hill, from the Committee on Courts of Justice, to whom was recommitted a bill, entitled

An act to amend section 5 of an act, entitled "An act to further regulate the retail traffic in spirituous, vinous and malt liquors and nostrums used as a beverage," approved May 5, 1880,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to prevent stock from running at large in Pendleton county.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration the motion heretofore entered by Mr. J. R. W. Smith to reconsider the vote by which the Senate had adopted an amendment proposed by Mr. Hays to a bill which originated in the House of Representatives, entitled

An act to incorporate the town of South Louisville, in Jefferson county.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The Senate took up for consideration the motion heretofore entered by Mr. Walker to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act prescribing the manner of selling the sulphate and other preparations of morphine and opium in this State, and for other purposes," ap-

proved February 19, 1886, and to prescribe the manner of selling the sulphate and other preparations of morphine in this State.

Mr. Frederick moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Byers, from the Committee on Internal Improvements, to whom was referred leave to bring in a bill, entitled

A bill to incorporate the Hawesville and Pellville Mineral Road,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on Railroads.

Mr. J. R. W. Smith moved that the Senate do now adjourn until Monday, May 10th, at 11 o'clock, A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kendall and Simon, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr., D. H. Smith, J. R. W. Smith—4.
F. M. Clement,

Those who voted in the negative, were—

R. A. Burnett,	H. T. Kendall,	F. D. Rigney,
A. R. Byers,	L. W. McKee,	J. T. Simon,
T. S. Grundy,	W. F. Neat,	F. T. D. Wallace,
S. E. Hill,	J. W. Ogilvie,	J. H. Wilson—12.

On motion of Mr. Burnett,

Ordered, That the further consideration of a bill from the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky,

Be postponed, and that said bill be made the special order of the day for Monday, May 10th, at 11 o'clock A. M., and from day to day until disposed of.

On motion of Mr. Cravens, the Senate then adjourned.

SATURDAY, MAY 8, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Paducah and Fort Jefferson Railroad Company.

An act to incorporate the Commonwealth Coal, Iron and Manufacturing Company.

An act to incorporate the Spring Cliff Park Hotel and Railroad Company.

An act to authorize the County Court of Warren county to subscribe stock in turnpike roads in said county.

An act to incorporate the Kentucky Life and Accident Insurance Company.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the East Kentucky Normal School.

An act to amend chapter 99, of the General Statutes, entitled "Sergeant."

That they had passed bills of the following titles, viz:

1. An act to provide for the appointment of a commission to examine the books, papers and official records of the Auditor of Public Accounts and the State Treasurer.

2. An act to establish the Crab Orchard Normal School, and to consolidate the same with the common schools of said town.

3. An act making the graduates of the normal class of the public schools of the city of Louisville qualified teachers in any of the public schools in the State of Kentucky.

4. An act for the benefit of Alex. G. Morgan, of Fayette county.

5. An act to empower the County Court of Union county to subscribe to the capital stock of turnpike and gravel roads in said county, and to purchase such roads, and to issue bonds and levy taxes for those purposes.

6. An act for the benefit of George H. Marshall, of Union county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 3d to the Committee on Education; the 4th to the Committee on Appropriations; the 2d to the Committee on General Statutes; the 6th to the Committee on Claims; and the 5th to the Committee on Propositions and Grievances.

On motion of Mr. Wallace, leave of absence, indefinitely, was granted Messrs. Worthington, Wilson and Boles.

Mr. Gilbert being absent, the Speaker appointed Mr. Price a member of the special joint committee on the part of the Senate to take into consideration the report of the Commissioners of the Sinking Fund concerning the treatment of convicts engaged in mining coal.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to amend an act, entitled "An act to create a Court of Common Pleas in the counties of Fayette, Bourbon, Bath, Madison, Woodford and Scott," approved February 6, 1874, by adding the county of Grant thereto, and fixing the time of holding the court in Grant county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Simon moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Frederick moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to regulate the sale of fertilizers in this Commonwealth, and to protect the agriculturists in the purchase and use of same," approved April 13, 1886.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading were then reconsidered.

On motion of Mr. Frederick,

Ordered, That said bill be recommitted to the Committee on Agriculture and Manufactures.

Mr. Frederick, from the Committee on Internal Improvements, to whom was referred a bill from the House of Representatives, entitled

An act in relation to collecting toll on turnpike and gravel roads,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. J. R. W. Smith, from the Committee on Railroads, to whom was recommitted a bill, entitled

An act to incorporate the Hawesville and Pellville Mineral Road,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Clay withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had concurred in an amendment adopted by the House of Representatives, to a bill which originated in the Senate, entitled

An act to amend the charter of the Shelby Railroad Company.

Mr. Caudill moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Charleston, Kentucky and Western Railway Company.

Which motion was simply entered.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Rigney, from the Committee on Agriculture and Manufactures—

An act to authorize the town of Danville to raise money to aid in the construction of railroads.

By Mr. Frederick, from the same committee—

An act declaring Pittman's creek, in Green and Taylor counties, a lawful fence for two years.

By Mr. Hill, from the Committee on Banks and Insurance—

An act to incorporate the Central City Deposit Bank.

By same—

An act to amend the charter of the Homestead Loan and Savings Association, approved May 12, 1884.

By same—

An act, entitled "An act to incorporate the Deposit Bank of Russellville, Ky."

By Mr. Hill, from the Committee on Courts of Justice—

An act to authorize J. D. Atchison, Judge of the Daviess County Court, to sign certain orders of said court.

By same—

An act for the benefit of Augustus Arnett, Clerk of the Magoffin Circuit Court.

By Mr. Bush, from the Committee on the Judiciary—

An act requiring the Court of Claims of Simpson county, Kentucky, to make compensation to road overseers in said county.

By same—

An act to amend the charter of the town of Guthrie, in Todd county, Ky., passed March 30, 1878.

By Mr. Hill, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors and mixtures of same, and all bitters which intoxicate, in Graves county, and to provide for a vote thereon," approved February 27, 1886.

By Mr. Alford, from the same committee—

An act to consolidate the Weston Electric Light Company, of Lexington, Kentucky, and the Excelsior Electric Light, Heating and Motive Power Company.

By Mr. Simon, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to amend and reduce into one all the acts and amendments to the charter of the town of Germantown, in Mason and Bracken counties."

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Wallace, from the Committee on General Statutes—

A bill to incorporate the Southern Guarantee Company, of Louisville, Kentucky.

By same—

A bill to repeal chapter 1393, Acts of 1880.

By Mr. Bush, from the Committee on the Judiciary—

A bill to prohibit and punish certain trespassing in Simpson county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Cravens—

1. A bill, entitled "An act to incorporate the Carrollton and Louisville Railroad Company."

On motion of Mr. Frederick—

2. A bill to amend school law relating to night schools.

Ordered, That the Committee on Railroads prepare and bring in the 1st, and the Committee on Education the 2d.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Ripple Creek Avenue Turnpike Company, in Campbell county;

An act to incorporate the Commonwealth Coal, Iron and Manufacturing Company;

An act to incorporate the Farmers' and Drovers' Bank of Eminence;

An act relating to branding logs on the Kentucky and Cumberland rivers and their tributaries;

An act to incorporate the town of Mackville, in Washington county;

And an enrolled bill which originated in the Senate of the following title, viz:

An act concerning license taxes in the city of Louisville;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his sig-

nature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

On motion of Mr. Wallace, the Senate then adjourned until Monday, May 10th, at 11 o'clock A. M.

MONDAY, MAY 10, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Kentucky and Southeastern Railway Company.

An act to incorporate the Madisonville, Providence and Clayville Railroad Company.

That they had passed bills which originated in the Senate of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Mutual Benefit Association of the Western Virginia Conference of the M. E. Church, South," approved March 6, 1880.

An act to amend an act incorporating the Continental Life Insurance Association.

An act in relation to street railways.

An act to repeal an act, entitled "An act to regulate the advertising of real estate and personal property under execution sales, sales under decrees or judgments, and sales of real estate for State and county taxes in Boyd county, and fixing compensation therefor.

An act directing the State Librarian to have water from the Frankfort water-works turned into the fountain in Capitol Square, and authorizing her to continue the use of same.

An act to amend an act, entitled "An act to incorporate the Board of Managers of the Louisville House of Refuge," and the amendments thereto.

An act to amend the charter of the Jellico Mineral and Lumber Company, organized under the fifty-sixth chapter of the General Statutes.

An act to amend an act to incorporate the Pendleton Agricultural and Mechanical Association, approved March 16, 1878.

An act to prohibit and punish certain trespassing in Simpson county.

An act to amend an act, entitled "An act to incorporate the Cumberland River Railway Company."

An act to amend an act to establish a road district in Jefferson county, approved May 12, 1884.

An act to regulate appeals from Quarterly, Justice and Police Courts in this Commonwealth.

With amendments to the two last-named bills.

The amendment to the last-named bill was taken up and concurred in.

That they had passed bills of the following titles, viz:

1. An act relating to the publication of the charter and ordinances of the city of Louisville.

2. An act providing for the redistricting of Knott county into common school districts.

3. An act to repeal chapter 261, of the Public Acts of this session of the General Assembly so far as the same applies to the county of Bourbon.

4. An act for the benefit of Geo. A. Hurst, of Anderson county.

5. An act to repeal an act, entitled "An act for the protection of food-fishes in the waters of Kentucky," approved March 20, 1876, so far as said act applies to the counties of Adair, Green, Metcalfe and Henry.

6. An act for the benefit of Charles Moffard, of Nicholas county.

7. An act to amend an act, entitled "An act for the benefit of common school district No. 43, in Graves county."

8. An act making the graduates of the West Kentucky Classical and Normal College or the South Carrollton Male and Female Institute qualified teachers in any of the public schools of the State of Kentucky.

9. An act to amend an act, entitled "An act to incorporate the Standard Normal University," approved April 28, 1886.

10. An act to amend an act, entitled "An act to amend an act incorporating Eminence College, in Henry county, passed at this present session of the Legislature.

11. An act to incorporate the German Catholic Casino Association, of St. Martin's Congregation, of Louisville, Kentucky.

12. An act to amend section 19, chapter 42, of General Statutes, title "Ferries."

13. An act to incorporate the Central Elevator Company.

14. An act to amend section 12, article 1, chapter 29, of the General Statutes, title "Crimes and Punishments."

15. An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870.

16. An act to amend section 203 of the Civil Code of Practice.

17. An act to amend section 342 of the Civil Code of Practice.

18. An act to amend an act, entitled "An act to incorporate the Kentucky Humane Society for the prevention of cruelty," approved April 15, 1884.

19. An act to repeal section 30, of article 1, of chapter 94, of the General Statutes.

20. An act to establish an additional voting precinct in Lyon county.

21. An act to amend the charter of the town of Pembroke, in Christian county.

22. An act to incorporate the Hopkinsville Petroleum and Fuel Company.

23. An act to authorize the Mercer County Court to subscribe stock in any railroad company.

24. An act to incorporate the Kentucky Water-works Construction Company.

25. An act repealing all acts making it unlawful to seine and trap fish in the county of Larue, and the county of Calloway.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 4th, 6th, 21st and 22d to the Committee on the Judiciary; the 5th and 25th to the Committee on Fish Culture; the 7th, 8th, 9th and 10th to the Committee on Education; the 11th and 18th to the Committee on Religion and Morals; the 12th, 14th, 19th, 20th and 23d to the Committee on General Statutes; the 13th to the Committee on Agriculture and Manufactures; the 15th to the Committee on Banks and Insurance; the 16th and 17th to the Committee on Codes of Practice; and the 24th to the Committee on Courts of Justice,

And the 1st, 2d, and 3d named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of J. I. Denton, of Grayson county;

An act for the benefit of the Kentucky Institution for the Education of the Blind;

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts and laws in relation to the town of Williamsburg, in Whitley county," approved February 9, 1884;

An act to incorporate the Normal and Business College of Central Kentucky;

An act to amend the charter of Eminence College, at Eminence, Henry county, Kentucky;

An act to legalize certain acts where districts have voted and collected a special school tax for the purposes of tuition, and to authorize the trustees to extend school term in such districts beyond a five months' term;

An act to incorporate the Paducah and Fort Jefferson Railroad Company;

An act for the benefit of Mrs. E. E. Bone, of Hickman county;

An act for the benefit of the Trustee of the Jury Fund of Marion county;

An act to create a voting precinct in Anderson county;

An act for the benefit of the town of Brooksville, in Bracken county;

An act to enable T. F. Wilborn, of Crittenden county, to adopt Cora Ennis as his heir at law;

An act to amend section 5, article 29, chapter 29, of the General Statutes, entitled "Crimes and Punishments;"

An act to amend the charter of the Kentucky State Dental Association;

An act to amend the charter of the Kentucky and South Atlantic Railway Company;

An act to amend an act, entitled "An act to incorporate the town of Horse Cave, in Hart county," approved March 15, 1869;

An act to amend an act, entitled "An act authorizing the Chicago, St. Louis and New Orleans Railroad Company and the Illinois Central Railroad Company, or either of them separately, to build and maintain a railroad bridge across the Ohio river," approved March 29, 1886;

An act to authorize the County Court of Warren county to subscribe stock in turnpike roads in said county;

An act declaring Billey's Fork and Stewart's Fork, of Miller's creek, in Estill county, navigable streams;

An act to incorporate the Frankfort Heating Company;

An act for the benefit of J. H. Emmons, Marshal of the city of Ashland, Kentucky;

An act to incorporate the Kentucky Life and Accident Insurance Company;

An act defining the jurisdiction of the Quarterly Court of the county of Carlisle;

An act to create and establish a new voting precinct in the county of Christian;

An act to amend an act, entitled "An act to incorporate the town of Fredonia;"

An act to prohibit the sale of spirituous, vinous and malt liquors within two miles of Big Meadow Church, in Metcalfe county;

An act to amend an act, entitled "An act to create a Court of Common Pleas in the counties of Fayette, Bourbon, Bath, Madison, Woodford and Scott," approved February 6, 1874, by adding the county of Grant thereto, and fixing the time of holding the court in Grant county;

And enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of Park Haynes and other persons;

An act to amend the charter of the Shelby Railroad Company;

An act to incorporate the Grayson County Bank;

An act to amend the charter of the town of Taylorsville, passed at the present session;

An act to prevent the running at large of horses, cows, sheep, hogs and other domestic animals in Christian county;

An act to amend an act, entitled "An act to incorporate the town of Dunville, in Casey county," approved March 30, 1878;

An act to authorize the trustees of school district No. 16, in Campbell county, to levy an ad valorem tax for the purpose of paying off the indebtedness on the district school-house therein, and to finish up said house;

An act to extend and define the boundary of the city of Newport;

An act to incorporate the Dunville Cornet Band Company;

An act to amend the charter of the Ohio Valley Railway Company;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate:

I have the honor to return herewith a bill, entitled "An act for the benefit of Thomas H. May, of Magoffin county." It appears from the preamble of the bill that the lands which the bill proposes to permit Mr. May to redeem without interest, was sold under an execution for money due the Commonwealth and bought in by the State nearly ten years ago. In the meantime the property has remained in the possession of Mr. May, and the State has not derived a single cent of profit from it in the way of rents or otherwise, but, on the contrary, the burden of the defalcation for which the land was sold, has been borne by the tax payers of other portions of the Commonwealth. In view of these facts, it is impossible for me to see upon what principle of right or justice the indulgence proposed in this bill can be granted. It is in effect simply a donation of the interest on over $300 for more than ten years to one who, upon a proper adjustment of accounts, would be found justly indebted to the Commonwealth more than that amount in rents, besides being, in my opinion, in plain violation of the provisions in the Bill of Rights prohibiting the granting of special privileges or emoluments without consideration of public service. If measures of this character are to be encouraged, some other method than that now provided by law will have to be resorted to to enforce the collection of the revenues required by the State.

I am, respectfully,

J. PROCTOR KNOTT.

Said bill reads as follows, viz:

WHEREAS, On the twenty-fifth day of September, 1876, there was sold one hundred and fifty acres of land lying in the county of Magoffin and State of Kentucky, as the property of Thomas H. May, said land being sold by the Sheriff under an execution in favor of the Commonwealth against the sureties of John W. Hammond, late Sheriff of Magoffin county, and bought by the said May at the price of three hundred and twenty-five dollars; and, whereas, said land has never been sold by the State or redeemed by said May; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That said Thomas H. May be, and he is hereby, given the further time of twelve months in which to

redeem said land, which he may do by paying to the Auditor the amount of said bid of three hundred and twenty-five dollars and cost, but without interest, and the Auditor shall thereupon release said land from said sale.

§ 2. This act shall take effect from and after its passage.

On motion of Mr. Price,

Ordered, That said message and bill be referred to the Committee on the Judiciary.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act establishing the Fountain Ferry Landing and Wharf, in Jefferson county, on the Ohio river, from the foot of the Fountain Ferry Road along the eastern bank of said Ohio river to the foot of Chestnut street extended, and fixing the wharf charges.

An act incorporating the Owensboro Opera-house Company.

An act to prohibit the sale of spirituous, vinous or malt liquors or intoxicating beverage in quantities less than ten gallons within five miles of Union College, in Knox county.

An act to amend an act to incorporate the Tygart Valley Iron Company, approved March 25, 1872.

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870.

An act to incorporate the Hopkinsville Branch Railroad Company.

An act to authorize and empower the city of Hopkinsville to provide the means for and to aid in the construction of the Hopkinsville and Cadiz Railroad and of any of the branches thereof.

An act for the benefit of the branch Penitentiary, at Eddyville.

An act fixing the boundary and for the benefit of the school district No. 67, in Fleming county.

An act to authorize D. R. Carr, Special Judge of the Barren Circuit Court, at its March term, 1886, to sign orders and judgments made by him at said term of said court.

An act to amend section 601 of the Civil Code of Practice.

An act to amend article 12, chapter 33, General Statutes, relating to bribery in elections.

An act to allow water-gaps on Quick Sand in Breathitt county.

An act for the benefit of R. J. Thomason, of Franklin county.

An act to amend an act, entitled "An act to incorporate the Mechanics' Building and Loan Association of Lexington."

An act concerning license taxes in the city of Louisville.

The Senate took up for consideration the motion heretofore entered by Mr. Frederick to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act, entitled "An act to incorporate the Kentucky Household Gas Supply Company."

Mr. Price moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Walker—

1. A bill to incorporate the Scottville and Brown's Ford Turnpike Road Company, in Allen county.

2. A bill to incorporate the Scottville and Alvaton Turnpike Company, in Warren and Allen counties.

Ordered, That the Committee on Internal Improvements prepare and bring in said bills.

Mr. Grundy, from the Committee on Internal Improvements, to whom was referred leave to bring in a bill, entitled

An act, entitled "An act to amend the charter of the Bank of Louisville,"

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

[*For bill, see Senate Journal of April 21st.*]

Article 8 of said bill being under consideration,

Mr. Hill moved that the rules be suspended and said article adopted as a whole.

And the question being taken thereon, and no quorum of the Senate voting thereon, said motion fell into the orders of the day.

By unanimous consent the rules were suspended and said bill was taken out of the orders of the day and the consideration of same resumed.

Sections 1 and 2 of said article 8 were taken up, read and respectively adopted.

Mr. Wallace moved that article 8 be adopted as a whole.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Wallace and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	S. E. Hill,	J. T. Simon,
W. W. Bush,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	L. W. McKee,	R. S. Triplett,
F. M. Clement,	J. W. Ogilvie,	Robert Walker,
W. M. Cravens,	F. D. Rigney,	F. T. D. Wallace—15.

In the negative—J. N. Price—1.

By unanimous consent the rules were suspended, and said bill was taken out of the orders of the day, and the consideration of the same resumed.

Sections 3, 4, 5, 6, 7, 8 and 9 were each taken up, read and respectively adopted.

Mr. Simon moved to amend section 10 by inserting the following words, viz: "Or court of similar jurisdiction" after "Circuit Court," in the second line.

And the question being taken thereon, it was decided in the affirmative.

Section 10, as amended, was then adopted.

Mr. Burnett moved to amend section 11 of said bill as follows, viz:

Amend by inserting "or criminal" after the word "circuit," in sixth line.

And the question being taken thereon, it was decided in the affirmative.

Section 11 of said bill, as amended, was then adopted.

Sections 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 were taken up, read and respectively adopted.

Article 9 was then taken up for consideration.

Mr. Burnett moved to amend section 1 of said article as follows, viz:

Amend by striking out in fourth and fifth lines the words "and be fined five hundred dollars."

And the question being taken thereon, it was decided in the affirmative.

Section 1 of said article, as amended, was then adopted.

Sections 2 and 3 were then read and respectively adopted.

Mr. Burnett moved to amend section 4 as follows, viz:

Amend by striking out all after the word "for" in sixteenth line.

Mr. Price moved that the further consideration of said bill and proposed amendments be postponed until to-morrow at 10:30 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Burnett, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Wallace moved that the rules be suspended, and that said bill be taken from the orders of the day.

And the question being taken thereon, it was decided in the affirmative.

The further consideration of section 4 was postponed.

Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 were each then taken up, read and respectively adopted.

Mr. Wallace moved the following amendment to section 16, viz:

Amend section 16, article 9, by striking out all after the word, "for," in fourth line of said section, to and including "State" in tenth line and by inserting in lieu thereof the following: "The State of Kentucky for such real estate the amount of tax due, and the commissions thereon, and shall make return to the County Court Clerk, who shall record the same in a book kept for that purpose, and the Clerk shall certify the same to the Auditor of Public Accounts, and the Sheriff or tax collector shall have a credit for the same in his settlement with the Auditor the Clerk shall have a fee of twenty-five cents for making such entry."

And the question being taken thereon, it was decided in the affirmative.

Section 16, as amended, was then adopted.

Mr. Wallace moved to amend section 17 as follows, viz:

Amend section 17, article 9, by striking out the word "county" in the third line, also in seventeenth, also in twenty-second line, also in twenty-third line, and insert in lieu of said word, "State" in each of said lines where "county" was stricken out.

And the question being taken thereon, it was decided in the affirmative.

Section 17, as amended, was then adopted.

Mr. Wallace proposed an amendment to section 18.

The further consideration of section 18, and the amendment proposed thereto, were postponed.

Mr. Cravens moved to postpone the further consideration of said bill until to-morrow at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

Mr. Price moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Price and McKee, were as follows, viz:

Those who voted in the affirmative, were—

W. M. Cravens,	L. W. McKee,	R. S. Triplett,
T. S. Grundy,	J. N. Price,	Robert Walker—6.

Those who voted in the negative, were—

R. A. Burnett,	S. E. Hill,	F. D. Rigney,
W. W. Bush,	H. T. Kendall,	J. T. Simon,
A. R. Byers,	W. F. Neat,	J. R. W. Smith,
F. M. Clement,	J. W. Ogilvie,	F. T. D. Wallace—12.

Mr. Bush moved that the further consideration of said bill be postponed until to-morrow at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

Mr. Triplett moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

TUESDAY, MAY 11, 1886.

The reading of the Journal of yesterday was dispensed with.

Mr. D. H. Smith, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend an act, entitled "An act to amend article 6, chapter 62, of the General Statutes," approved May 6, 1880,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. J. R. W. Smith objected to the further reading of said bill on this day, so said bill fell into the orders of the day.

Mr. D. H. Smith moved that the rules be suspended, and that said bill be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Wallace, were as follows, viz:

Those who voted in the affirmative, were--

M. C. Alford,	F. M. Clement,	J. W. Ogilvie,
J. W. Bryan,	Henry Dixon,	J. N. Price,
R. A. Burnett,	W. H. Frederick,	J. T. Simon,
W. W. Bush,	T. S. Grundy,	D. H. Smith,
A. R. Byers,	H. T. Kendall,	E. R. Sparks,
W. J. Caudill,	J. H. McDanell,	F. T. D. Wallace,
C. M. Clay, Jr.,	L. W. McKee,	J. H. Wilson—21.

Those who voted in the negative, were—

R. G. Hays,	F. D. Rigney,	W. H. Taulbee,
S. E. Hill,	J. R. W. Smith,	Robert Walker—6.

Mr. J. R. W. Smith moved that the further consideration of said bill be postponed until Wednesday, May 12th, at 10:30 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to amend article 6, chapter 62, of the General Statutes," approved May 6, 1880, be, and the same is hereby, amended by striking out of section 1 thereof the words "but the Trustee of the Jury Fund of Jefferson county is allowed five per cent. commission."

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. M. Cravens,	J. T. Simon,
A. S. Berry,	Henry Dixon,	D. H. Smith,
R. A. Burnett,	T. S. Grundy,	E. R. Sparks,
W. W. Bush,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	Robert Walker,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. N. Price,	J. H. Wilson—22.
F. M. Clement,		

Those who voted in the negative, were—

W. H. Frederick,	R. G. Hays,	J. R. W. Smith—3.

Resolved, That the title of said bill be as aforesaid.

Mr. D. H. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Burnett moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act regulating the exemption of personal property from execution, attachment, distress for rent and fee bills, in this Commonwealth.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the following property shall be exempt from execution, attachment, distress or fee bill, namely:

Two work beasts or one work beast and one yoke of oxen, two plows and gear, one wagon and set of gear, or cart or dray, two axes, three hoes, one spade, one shovel, two cows and calves, beds, bedding and furniture sufficient for family use, one loom and spinning wheel and pair of cards, all the spun yarn and manufactured cloth manufactured by the family necessary for family use, carpeting for all family rooms in use, one table, all books not to exceed fifty dollars in value, two saddles and their appendages, two bridles, six chairs, or so

many as shall not exceed ten dollars in value, one cradle, all the poultry on hand, ten head of sheep not to exceed twenty-five dollars in value, all wearing apparel, sufficient provisions, including breadstuff, and animal food, to sustain the family for one year, if not on hand other personal property, money or growing crop not to exceed forty dollars in value for each member of the family, provender suitable for live stock, if there be any such stock, not to exceed seventy dollars in value, and if such provender be not on hand, such other property as shall not exceed such sum in value, all washing apparatus not to exceed fifty dollars in value, all arms, ammunition and equipments of a militiaman, one sewing machine and all family portraits and pictures, one cooking stove and appendages and other cooking utensils not to exceed in value twenty five dollars.

§ 2. That a work beast exempted under this act shall not exceed in value one hundred and fifty dollars, and a cow and a calf exempted under it shall not exceed in value sixty dollars. If the officer making the levy believes said animals, when levied on, exceed said respective sums in value, or if the plaintiff in the writ levied by the officer demands it, the officer shall have the animals appraised by two disinterested housekeepers of the county, one to be selected by the officer and the other by the defendant, and in case of disagreement, then the two shall select a third, who shall be sworn by the officer to discharge the duties of appraisers as required by law in the appraisement of real estate to be sold under execution, and if it shall appear by such appraisement such animals have a greater value than the amounts above specified, then such animals shall be sold and the defendant allowed out of the proceeds of sale of each animal the sums above specified, respectively. The officer shall return the appraisement, with the writ under which he was acting.

§ 3. The tools, not exceeding one hundred dollars in value, of any mechanic are exempt from levy under execution, attachment, distress, for rent or fee bills. If, however, a mechanic claims the benefit of this section, there shall be but one work beast exempt in his favor. For the purpose of carrying out the provisions of this section, the officer making the levy shall, before he proceeds to sell, ascertain, by the judgment of two discreet, disinterested housekeepers, selected and sworn by him, the value of the tools, and set apart for the defendant such as may be selected by him or his agent, not to exceed in amount one hundred dollars, and may sell the residue. If there be not more than that amount in value, then all the tools shall be set apart to the defendant. A list of the tools so set apart shall be returned by the officer with the process.

§ 4. The libraries of all ministers of the gospel, and the professional libraries of attorneys at law, the professional libraries and instruments of physicians and surgeons, not to exceed in value five hundred dollars, shall be exempt from execution,

attachment, distress, for rent or fee bills: *Provided*, That such ministers, lawyers, physicians and surgeons shall be entitled to only one work beast, and to no wagon, cart or dray.

§ 5. The wages, not to exceed fifty dollars, of all persons who work for wages, shall be exempt from execution, attachment, distress, for rent, garnishment or fee bills: *Provided*, That the exemption of fifty dollars shall not apply to debts contracted for food, raiment or house rent for the family.

§ 6. The exemption mentioned in this act shall apply only to *bona fide* housekeepers, with a family resident in this Commonwealth, and shall be in force from and after the first day of June, 1886, and to all debts contracted before that time, the present law of exemptions shall apply.

§ 7. All other laws and parts of laws relating to the exemption of personal property from execution, attachment, distress, for rent or fee bills in this Commonwealth are hereby repealed.

Mr. Hill moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Bush moved to reconsider the vote by which the Senate had ordered the previous question.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hays moved to amend said bill as follows, viz:

To a *bona fide* house-keeper with a family living in a city or town, five hundred dollars' worth of such personal property as the house-keeper may select in lieu of the property specifically named.

Mr J. R. W. Smith moved to amend said bill as follows, viz:

Amend the fifth section by striking out all after and including the word "provided" in the third line of said fifth section.

Mr. Burnett moved that said bill and proposed amendments be recommitted to the Committee on General Statutes.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Bush, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	T. S. Grundy,	D. H. Smith,
W. W. Bush,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	W. F. Neat,	W. H. Taulbee,
C. M. Clay, Jr.,	J. W. Ogilvie,	E. R. Sparks,
F. M. Clement,	J. N. Price,	Robert Walker,
Henry Dixon,	F. D. Rigney,	J. H. Wilson—18.

Those who voted in the negative, were—

A. S. Berry,	G. G. Gilbert,	L. W. McKee,
J. W. Bryan,	S. E. Hill,	J. T. Simon,
A. R. Byers,	H T. Kendall,	R. S. Triplett,
W. M. Cravens,	J. H. McDanell,	F. T. D. Wallace—13.
W. H. Frederick,		

Mr. Bush, from the Committee on Charitable Institutions, to whom was recommitted a bill, entitled

An act for the benefit of the Kentucky Manufacturing Establishment for the Blind,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken, "Shall said bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	J. R. W. Smith,
A. S. Berry,	R. G. Hays,	E. R. Sparks,
J. W. Bryan,	S. E. Hill,	R. S. Triplett,
W. M. Cravens,	H. T. Kendall,	Robert Walker,
Henry Dixon,	F. D. Rigney,	J. H. Wilson—17.
W. H. Frederick,	J. T. Simon,	

Those who voted in the negative, were—

R. A. Burnett,	J. H. McDanell,	J. N. Price,
W. W. Bush,	L. W. McKee,	D. H. Smith,
A. R. Byers,	W. F. Neat,	W. H. Taulbee,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace—13.
F. M. Clement,		

Said bill reads as follows, viz:

WHEREAS, Four years' experience demonstrates the Kentucky Manufacturing Establishment for the Blind to be practically successful in teaching numerous blind persons trades, by which they are now able to maintain themselves, and has also afforded employment to various other blind persons who were without occupation; and whereas, there are near eight hundred blind persons in Kentucky between eighteen and fifty years of age, five hundred of whom are without occupation, without means and dependent on others for subsistence, a majority of whom are women, liable at any time to become a county charge, and for whom the Kentucky Manufacturing Establishment for the Blind can not provide, for want of a suit able building in which to give them shelter, without the obvious impropriety of placing them in the building occupied by the men; and whereas, they, for want of previous training, will not be able during the first year of their apprenticeship to earn the means with which to maintain themselves; and whereas, wise statesmanship ever seeks to relieve from want and oppression and to prevent the increase of pauperism in the Commonwealth; and whereas, for forty four years the blind children of this Commonwealth have been held to be wards of the State, and notwithstanding the General Assembly has from time to time provided ample means for their education, yet parents and guardians have failed to secure its advantages to more than one-fourth of them; and whereas, the cause of humanity and sound public policy alike demand that these unfortunate citizens, as far as possible, be provided the means of earning their own bread and enjoy that sense of personal independency without which none can be truly happy, and thereby redeem this unfortunate class from the three-fold miseries of blindness, ignorance and pauperism; therefore

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $12,000 be, and hereby is, appropriated to the Kentucky Manufacturing Establishment for the Blind, and the Auditor of Public Accounts is hereby authorized and required to draw his warrant on the Treasury for the same.

§ 2. The said $12,000 shall be applied by the said Establishment in the erection of such building or buildings as are suitable for the accommodation of blind women in its employ, including such work-rooms as are necessary, and in the building of a store-house in which the products of the Establishment can be properly displayed for sale, and in providing such furniture and fixtures as are necessary in the proper use of said buildings: *Provided*, No more than $1,000 dollars shall be expended in the procuring of said furniture and fixtures, and in case said buildings, furniture and so forth, should ever cease to be used for the purpose herein specified, they, to the amount of $12,000, shall revert to, belong to and become the property of the State.

§ 3. Be it enacted that the further sum of $6,000 annually be, and is hereby, appropriated to the Kentucky Manufacturing Establishment for the Blind in aid of blind apprentices while learning their trades: *Provided*, No greater sum than $7 a month be applied for the benefit of any blind apprentice. Said $6,000 dollars to be paid in quarterly installments of $1,500 each, on the first of April, the first of July, the first of October and first of January of each year for the term of two years, and the Auditor is hereby authorized and required to draw his warrant on the Treasury for the same.

§ 4. This act shall be in force from and after its passage.

Mr. Hays moved to amend said bill as follows, viz:

Strike out "$12,000" and insert "$10,000;" also strike out "$6,000" and insert "$4,000."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative for want of a constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. R. W. Smith,
A. S. Berry,	T. S. Grundy,	E. R. Sparks,
J. W. Bryan,	R. G. Hays,	E. L. Worthington,
W. M. Cravens,	S. E. Hill,	R. S. Triplett—14.
Henry Dixon,	F. D. Rigney,	

Those who voted in the negative, were—

R. A. Burnett,	J. H. McDanell,	D. H. Smith,
W. W. Bush,	L. W. McKee,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	Robert Walker,
W. J. Caudill,	J. W. Ogilvie,	F. T. D. Wallace,
F. M. Clement,	J. N. Price,	J. H. Wilson—17.
H. T. Kendall,	J. T. Simon,	

So said bill was rejected.

Mr. Wilson moved to reconsider the vote by which the Senate had rejected said bill.

Which motion was simply entered.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Augustus Arnett, Clerk of the Magoffin Circuit Court;

An act to incorporate the Madisonville, Providence and Clayville Railroad Company;

An act to provide for the compensation of members of the Board of Health of Boyd county;

An act to incorporate the Central City Deposit Bank;

An act to repeal an act, entitled "An act prescribing the manner of selling the sulphate and other preparations of morphine and opium in this State, and for other purposes," approved February 19, 1886, and to prescribe the manner of selling the sulphate and other preparations of morphine in this State;

An act to amend the charter of the Homestead Loan and Savings Association, approved May 12, 1884;

An act to incorporate the Spring Cliff Park Hotel and Railroad Company;

An act to consolidate the Weston Electric Light Company, of Lexington, Kentucky, and the Excelsior Electric Light, Heating and Motive Power Company;

An act, entitled "An act to incorporate the Deposit Bank of Russellville, Ky;"

An act to incorporate the Western Kentucky Mining, Manufacturing and Transportation Company;

An act declaring Pittman's creek, in Green and Taylor counties, a lawful fence for two years;

An act requiring the Court of Claims of Simpson county, Kentucky, to make compensation to road overseers in said county;

An act to amend the charter of the town of Guthrie, in Todd county, Ky., passed March 30, 1878;

An act to provide for appointing and electing Commissioners for the county of Boone, and defining their duties and the

duties of other county officers whose duties are connected with the duties of said Commissioners;

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors and mixtures of same, and all bitters which intoxicate, in Graves county, and to provide for a vote thereon," approved February 27, 1886;

An act to amend an act, entitled "An act to amend and reduce into one all the acts and amendments to the charter of the town of Germantown, in Mason and Bracken counties;"

An act to repeal chapter 261, of the Public Acts of this session of the General Assembly so far as the same applies to the county of Bourbon;

And enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the East Kentucky Normal School;

An act for the benefit of J. H. Wells, of Breckinridge county;

An act to amend an act to charter the Marion School Association, in Crittenden county, approved February 16, 1869;

An act in relation to street railways;

An act to amend an act incorporating the Continental Life Insurance Association;

An act to repeal an act, entitled "An act to regulate the advertising of real estate and personal property under execution sales, sales under decrees or judgments, and sales of real estate for State and county taxes in Boyd county, and fixing compensation therefor;"

An act to amend chapter 99, of the General Statutes, entitled "Sergeant;"

An act to amend an act, entitled "An act to incorporate the Board of Managers of the Louisville House of Refuge," and the amendments thereto;

An act to amend an act, entitled "An act to incorporate the Mutual Benefit Association of the Western Virginia Conference of the M. E. Church, South," approved March 6, 1880;

An act to incorporate the Hartford Mutual Fire Insurance Company, of Hartford, Kentucky;

An act to authorize the Daviess County Court to borrow and

use its surplus fund collected for railroad, bond and coupon purposes in constructing a new jail;

An act to amend an act, entitled "An act empowering St. Paul's P. E. Church, of Newport, to bond its debt," approved March 23, 1886;

An act to amend an act, entitled "An act to amend the charter of the town of Berryville, and change the name thereof," approved April 9, 1880;

An act to amend an act, entitled "An act to establish a Board of Commissioners for Floyd county, and to define their duties and the duties of other county officers whose duties are connected with the duties of said Commissioners," approved April 10, 1886;

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867, and the several acts amendatory thereto;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to incorporate the Clarksville and Ohio River Railroad Company.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

The hour having arrived for the consideration of the special order of the day, further action thereon was cut off thereby.

Mr. Clement moved that the consideration of the special order of the day be postponed until said bill was disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Clement, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	F. D. Rigney,
R. A. Burnett,	H. T. Kendall,	D. H. Smith,
W. W. Bush,	J. H. McDanell,	E. R. Sparks,
A. R. Byers,	L. W. McKee,	W. H. Taulbee,
F. M. Clement,	W. F. Neat,	Robert Walker,
W. M. Cravens,	J. W. Ogilvie,	F. T. D. Wallace,
W. H. Frederick,	J. N. Price,	J. H. Wilson—22.
T. S. Grundy,		

In the negative—J. W. Bryan—1.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. D. H. Smith moved to reconsider the vote by which the Senate had rejected a bill, entitled

An act for the benefit of E. H. Taylor, of Franklin county.

Which motion was simply entered.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Triplett—

1. A bill to amend the charter of the Daviess County Gravel Road Company.

On motion of Mr. Berry—

2. A bill amending an act creating a new voting precinct in Campbell county.

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st, and the Committee on Education the 2d.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:

An act to allow the County Court of Carlisle county to appoint commissioners to lay off said county into magisterial districts.

An act to amend sections 1 and 2, of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886.

An act to re-enact and amend an act, entitled "An act to inhibit the owners or bailees of horses, cattle or hogs or other animals from allowing, suffering or permitting them to go at large in Carroll county, and to make the owners or bailees of such animals liable for all trespasses and injuries committed by them," approved April 22, 1884.

An act to incorporate the Camdensville and Shiloh Meeting-house Turnpike Road Company.

An act to fix and regulate the terms and times for the holding of the Circuit Courts of the Thirteenth Judicial District.

An act to incorporate the Kentucky Fruit and Wine Company.

An act conferring upon the County Court of Lyon county jurisdiction to appropriate money to defray the current expenses of said county, and to levy a poll-tax to pay such appropriation.

An act for the benefit of Mary E. Evans, of Ballard county.

An act in relation to prohibiting the sale of spirituous, vinous and malt liquors in Union and McLean counties.

An act to consolidate common school districts Nos. 1 and 26, in Carroll county, and to provide for a school building and the better organization of the public schools in said consolidated districts.

An act to incorporate the Salt River and Timber Creek Turnpike Road Company.

An act to incorporate the Little Mount Cemetery Company, in Spencer county.

An act to incorporate the Scoville and Lawrenceburg Turnpike Road Company, in Washington county.

An act to amend and reduce into one the several acts in relation to the town of Birmingham, in Marshall county.

An act to incorporate the Louisville and Portsmouth Railway Company.

An act to charter the Henderson, Bowling Green and Somerset Railroad.

An act to incorporate the Paint Creek Narrow Gauge Railroad Company.

An act for the benefit of the town of Carrollton, and to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Carrollton," approved February 25, 1884.

An act to amend an act, entitled "An act to incorporate the town of Hickory Grove, in Graves county," approved April 11, 1873, and to amend an act amending said act, approved April 5, 1878, and to fix the boundaries of said Hickory Grove.

An act to prevent stock from running at large in the fourth and fifth magisterial districts in Kenton county.

An act to amend and reduce into one the several acts in relation to roads and bridges in Henderson county.

An act to incorporate the Damascus Edge Tool and Manufacturing Company.

An act for the benefit of the Commissioners of the Kentucky Institution for the Instruction of Deaf Mutes.

An act for the benefit of R. W. Noel.

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in the county of Henry," approved April 13, 1886.

An act to amend an act, entitled "An act to amend section 20, chapter 42, of the General Statutes, title 'Ferries,' so far as the same applies to Warren county," approved March 23, 1886.

An act for the benefit of turnpike roads in Nicholas county.

An act to incorporate the Exchange Bank of Greenup.

An act to incorporate the Lexington Horse and Cattle Exchange.

An act to amend an act, entitled "An act to incorporate the Christian Church of the town of Paducah," approved November 18, 1850.

An act to amend the charter of the town of Central City, in Muhlenberg county.

An act for the benefit of common school district No. 18, in Campbell county.

An act to amend the charter of the town of Olive Hill, in Carter county.

An act to authorize the Clerk of the Russell County Court to appoint his wife deputy Clerk.

An act to legalize the signing of certain orders made by the Judge of the Martin County Court.

An act to authorize peace officers to take bond in criminal and penal cases.

An act for the benefit of William Henderson, Thomas F. Terrell, Jr., and Thomas S. Heady, of Ballard county.

An act to increase the jurisdiction of Justices of the Peace in certain cases, in Caldwell county.

An act to amend an act, entitled "An act to recharter the town of Mt. Vernon, Rockcastle county," approved March 16, 1886.

An act to repeal an act, entitled "An act to establish the line between Breckinridge and Hancock counties."

An act to incorporate the Bond's Mill and Cheese Lick Creek Turnpike Road Company, in Anderson county.

An act to incorporate the Wardsville and Lick Skillet Turnpike Company, in Anderson county.

An act to incorporate the New Liberty Church and Salt River Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the town of Bardwell, in Ballard county," approved March 10, 1882.

An act to repeal an act, entitled "An act to incorporate the town of Harmony, in Owen county," and all acts amendatory thereof.

An act to amend an act, entitled "An act to authorize the people to vote a tax in aid of turnpike roads, in Henry county," and acts amendatory thereto, approved February 11, 1876, March 9, 1869, March 21, 1870, and March 28, 1872.

An act to amend section 11, of article 1, of an act to amend an act and reduce into one the several acts in regard to the city of Lebanon, approved March 3, 1884.

An act to create an additional Justices' district in Perry county, and change and fix the voting place in the third magisterial district, in said county.

An act to repeal section 4, of an act entitled "An act amending and reducing into one the several acts relating to the town of Scottsville," approved February 28, 1860, and the amendments thereto, which act was approved April 2, 1884.

An act to amend an act, entitled "An act authorizing the Judge of the Lewis County Court to subscribe stock in Maysville and Big Sandy Railroad Company, and providing for the issual of the bonds of Lewis county to raise said sums, and to levy a tax to pay the interest on the bonds and to pay off the bonds," approved March, 1886.

An act to incorporate the Victor Emanuel Club, of Louisville.

An act to prevent the drifting and floating of saw-logs down the Licking river below Salyersville.

An act to authorize J. D. Atchison, Judge of the Daviess County Court, to act as executor, trustee and guardian in certain cases.

An act to regulate the sale of spirituous, vinous or malt liquors in the county of Warren.

An act to amend the charter of the city of Hawesville, in relation to schools.

An act rewarding persons in this State finding and bringing ashore dead bodies of human beings from any navigable stream in this State.

An act to amend an act incorporating the town of Lockport, in Henry county, and defining the jurisdiction of the Police Court of said town.

An act to incorporate the Grainers' and Painters' Company, of Louisville.

An act to construe section 2, of article 6, of the charter of the city of Bowling Green.

An act to incorporate the McDonald Bros. Jail Building Company.

An act to empower the County Courts of Ballard and Carlisle counties to levy an ad valorem tax to repair and build bridges in said counties, and to elect or appoint bridge commissioners.

An act to prevent stock from running at large on the turnpike roads in Nicholas county.

An act to prohibit the selling, loaning, giving or furnishing any spirituous, vinous or malt liquors, or any mixture thereof, upon the day of any election or political convention in the counties of Wayne and Russell.

An act declaring Burning Spring Fork, in Magoffin county, a navigable stream.

An act to amend an act, entitled "An act to amend the charter of the city of Covington," approved March 11, 1886.

An act to amend an act, entitled "An act to incorporate the town of Flemingsburg, Fleming county," approved April 29, 1880.

An act to incorporate the Central Kentucky Building and Loan Association.

An act for the benefit of the owner or lessee of the ferry at Ashland, Ky., and providing penalties for a violation of the provisions of the same.

An act to amend the charter of the Chesapeake and Nashville Railway Company.

An act to regulate and define the rights and powers of certain railway companies in Jefferson county, viz: The Beargrass Railway Company, the Central Passenger Railroad Company, and the Jefferson Railway Company.

An act to incorporate the Lexington Opera-house Company.

An act to incorporate the Kentucky Electric Company.

Resolution in regard to copies of act allowing defendants to testify in criminal cases.

A joint resolution expressing sympathy with Ireland in her struggles for home rule, and indorsing Gladstone and Parnell.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act for the benefit of N. B. Foster, Charles Foster and S. L. Foster.

An act to amend section 334 of the Civil Code.

An act concerning the deposits of the Sinking Fund of the city of Louisville.

An act to amend section 4, of article 31, of chapter 29, of the General Statutes.

An act to amend section 553, of the Civil Code of Practice.

An act to prohibit the sale of spirituous, vinous and malt liquors in Ohio county.

An act, entitled "An act to amend the charter of the Bank of Louisville."

An act to establish a school at Falmouth, Kentucky, with graded classes employing the property and revenues of common school district No. 1 of Pendleton county, and of the Pendleton Academy.

An act for the benefit of James Williams, of Cumberland county.

An act to amend the charter of the Maysville Gas Company.

An act to incorporate the Madison Bridge Company.

An act regulating the advertisement of Master Commissioner's sales made under judgments of the Ohio Circuit Court in certain cases.

An act for the benefit of W. C. Woodsworth as guardian of Edward Paxton.

An act to authorize the city of Lexington to issue bonds to the amount of $30,000 for school purposes, and levy an additional tax for the payment of same.

An act to amend section 5 of an act, entitled "An act to further regulate the retail traffic in spirituous, vinous and malt liquors and nostrums used as a beverage," approved May 5, 1880.

An act to incorporate the Exchange Insurance Company, of Covington, Kentucky.

An act to limit the amount of indebtedness of Gallatin county for turnpike purposes.

An act to better protect turnpike roads in which the State is interested.

An act authorizing and empowering Arthur and Wilcox and Luke Dees, their heirs or assigns to sue the Commonwealth of Kentucky to recover and have refunded to them the purchase money paid the State for lands purchased and entered by said Arthur and Wilcox and Luke Dees in the counties west of Tennessee river under the act of January 3, 1825, and prior to February 28, 1835.

With amendments to the six last-named bills.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Guarantee Fund and Collecting Company.

2. An act to amend an act incorporating the Richmond Cemetery Company.

3. An act to incorporate the Fourth Avenue Park Railway Company.

4. An act to amend the charter of the city of Ludlow, Kenton county.

5. An act to amend article 4, chapter 41, of the General Statutes.

6. An act to amend section 1, article 6, chapter 28, of the General Statutes.

7. An act to amend chapter 45, of the General Statutes, title "Fugitives from Justice."

8. An act for the benefit of R. O. Brashears, Sheriff of Letcher county.

9. An act to amend section 11, article 3, chapter 62, of the General Statutes, entitled "Juries, Grand and Petit."

10. An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the revenue laws,'" approved April 22, 1882.

11. An act to amend section 10, article 2, chapter 52, of the General Statutes.

12. An act to amend chapter 1363, of the Local and Private Acts of 1883–4, approved May 5, 1884.

13. An act for the benefit of Frank Preston, committee of Daniel Sparks, a harmless, incurable lunatic.

14. An act for the benefit of Joseph Crabtree, of Daviess county.

15. An act to amend an act, entitled "An act to revise and amend the charter of the city of Bowling Green," approved January 2, 1882.

16. An act for the benefit of the graduates of the West Kentucky College, at Mayfield, Ky., and high school at Paducah.

17. An act relating to the partition of land.

18. An act for the benefit of W. L. Pullen, Marshal of the city of Clinton.

19. An act to punish persons for unlawfully selling personal property which had been previously sold by contract in writing.

20. An act for the benefit of A. M. Adair, of Hart county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Banks' and Insurance; the 2d and 12th to the Committee on General Statutes; the 3d to the Committee on Railroads; the 4th, 10th, 17th and 19th to the Committee on the Judiciary; the 5th, 6th, 7th 9th and 11th to the Committee on General Statutes; the 8th to the Committee on Propositions and Grievances; the 13th, 14th and 18th to the Committee on Claims; the 15th to the Committee on Courts of Justice, and the 16th to the Committee on Education.

And the 20th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

[*For bill, see Senate Journal, April 21st.*]

Article 9 of said bill being under consideration,

Mr. Wallace moved the following amendment as a substitute for said article 9, viz:

ARTICLE IX.

Collection of Revenue.

§ 1. The Sheriff, by virtue of his office, shall be collector of the revenue. If he fail or refuse, without a valid and legal excuse, to execute bond, with surety, as required by law, for the collection of the revenue, he shall forfeit his office. The County Court shall thereupon appoint a collector of revenue for that year. The court shall take of said collector a bond with good surety for the faithful execution of the duties required of him by law. Said collector shall be governed by the laws regulating

the duties of Sheriffs in the collection of the revenue, and he and his sureties shall be jointly and severally liable to the Commonwealth, and all others, in the same manner that the Sheriff and his sureties would have been. In the event that the County Court fails to make such appointment for thirty days, the Auditor may appoint a collector for that county.

§ 2. No Sheriff who shall forfeit his office under the provisions of the preceding section, or who shall resign his office, shall be appointed collector of tax for that county, or elisor, or deputy collector or elisor, and if such appointment should be made, he shall receive no compensation for his services as such.

§ 3. A quietus by the Auditor for the revenue tax for the preceding year shall be produced by each Sheriff to the County Court on or before the December term, and no tax book shall be delivered to a Sheriff after the first year of his term who shall fail to exhibit such quietus on or before the first day of the December term. Upon such failure, the County Court shall appoint a collector of revenue; and if such court shall fail for thirty days to make such appointment, the Auditor shall make the appointment. A court or Auditor making the appointment shall be governed by the preceding section, and shall not appoint the Sheriff failing to exhibit his quietus.

§ 4. The Sheriff shall, on or before the first Monday in January next succeeding his election, and annually thereafter, enter into bond, with surety, for the collection of the revenue and public dues. He may execute bond and qualify at any time after he receives his certificate of election up to and including the first Monday in January next succeeding his election; and it shall be the duty of the Judge of the County Court to hold a court at any time the Sheriff may request for that purpose. The County Court shall judge of the sufficiency of the surety; and in no case shall sureties be taken who are not jointly worth, subject to execution, after the payment of all their debts and liabilities, a sum equal to the aggregate amount of revenue to be collected for the year. The Commonwealth shall also have a lien, from the date he begins to act, upon the real estate of the Sheriff then owned or afterward acquired by him, which shall not be discharged until a quietus is obtained for all the revenue and public dues he is bound for, and in all actions upon such bonds no defense shall be interposed except a plea of *non est factum* or payment.

§ 5. The Commonwealth shall have the same lien upon the real estate of a usurper of the office of the Sheriff, or a *de facto* Sheriff, or any person who may act as Sheriff or Collector, as upon the real estate of a Sheriff, as provided in the preceding section.

§ 6. The bond of the Sheriff or Collector for the collection of the revenue and all other public dues shall be in substance as follows:

"We, A. B., the Sheriff of ——— county, Kentucky, and C.

D., and E. F., his sureties, bind and obligate ourselves, jointly and severally, to the Commonwealth of Kentucky, that the said A. B., Sheriff of ——— county, shall faithfully perform the duties appertaining to the collection of revenue, and shall, within the time prescribed by law, collect, account for, and pay into the Treasury of the State, and to the persons entitled thereto, according to law, all taxes and public dues arising from the assessment for the year ——; also all fines, amercements and penalties directed or authorized by law to be collected or received by him within the county of ———, within the said year.

"Witness our signatures, this —— day of ——."

§ 7. If the Sheriff shall die during his term of office, his sureties shall have the right to nominate a person to collect the revenue for that year, and upon their written nomination of such person he shall be appointed by the County Court, and the sureties shall remain liable to the Commonwealth for the taxes with which their principal was charged: *Provided*, That this section shall not apply when in any case the sureties, in the opinion of the County Court, are not in the aggregate worth, in property subject to execution, above their debts, the amount of the taxes with which their principal was charged.

§ 8. The Sheriff, from and after the first day of February in each year, shall collect the taxes due in his county, and upon failure by the persons bound therefor to pay the same, may distrain the goods and chattels owned by or in the rightful possession of the persons from whom the tax is due, notwithstanding the existence of any lien upon the same; and may proceed to sell the title of such person in so much thereof as will pay the tax due and all costs, in the mode prescribed by law. He shall retain the amount of tax, county levies, and other public dues against individuals, out of any claims allowed by the Commonwealth or the County Court to such individuals, notwithstanding any assignment of the same.

§ 9. That the Sheriff or Collector of the State revenue in each county of this Commonwealth shall, on the first day of May and every sixty days thereafter, under oath, report to the Auditor of Public Accounts the amount of taxes he has collected, and pay the same over immediately, and shall account for and pay all taxes for which he is bound into the State Treasury by the first day of November in each year; and upon his failure to do so, he and his sureties shall be liable therefor, and shall be proceeded against at the first term thereafter of the Franklin Circuit Court. Any person or persons failing to pay their taxes by the first day of September in the year following the assessment for such taxes, shall pay six per cent. additional on the tax so due and unpaid. Any Sheriff who shall fail to report as herein required, shall be liable to indictment in the Franklin Circuit Court, and fined not less than one hundred dollars nor more than five hundred dollars for each offense; and it shall be the duty of the Auditor to report to the grand

jury of Franklin county, at the next term of said court after such failure to report, the name of such Sheriff so failing to report. The Sheriff shall be required by the Auditor to pay a penalty of six per cent. on all taxes due and unpaid on the first day of November in each year. The Auditor, in his settlement with the Sheriff, shall charge him with the six per cent. accruing under the provisions of this chapter.

§ 10. A Sheriff may deposit the revenue as he may collect it, if authorized or required to do so in writing by the Auditor, in any bank within this State, and within one hundred miles of the residence of the Sheriff, to be named by the Auditor, to the credit of the Treasury, taking three receipts of the cashier of said bank, stating the amount deposited, and when and by whom. One of these shall be forwarded to the Treasurer and one to the Auditor. The amount thereof shall be credited to the Sheriff in his settlement with the Auditor.

§ 11. The Sheriff shall pay over to the Trustee of the Jury Fund, out of any public money in his hands, the amount he may be required to pay by the order of the Circuit Court of his county to meet any deficiency in said fund. He shall take duplicate receipts for the same, one of which he shall forthwith transmit to the Auditor, and upon the settlement of his accounts, shall be credited with the amount so paid.

§ 12. Sheriffs shall be allowed by the Auditor the following commission upon the sums collected and accounted for or paid into the Treasury in each year: Upon the first five thousand dollars, ten per cent., and upon the residue four per cent.

§ 13. The Sheriff, before he makes a levy for taxes, shall demand the same from the person from whom the tax is due, if resident of and in the county, and tender a receipt therefor if it be required, in which he shall specify the taxable estate with which such person is charged, the value and amount thereof, and the tax due. If he shall distrain before the demand, if the tax payer is a resident of and in the county, and before he tenders the receipt, if it be required, he will forfeit and pay to the person aggrieved, double the amount of such tax, and such damages as he may sustain, to be recovered by action in his own name: *Provided, however*, He may distrain without the demand after the first day of July of the year for which the tax is due: *And provided further*, That if the Sheriff has reasonable grounds to believe that the person from whom the tax is due, is about to remove his property from the county, or to conceal the same, he may distrain at any time without the demand.

§ 14. The Sheriff shall, after having advertised at the court-house door the time and place of sale for at least ten days, sell at public auction for money, so much of the property levied on for taxes as will pay the tax and costs. If the Sheriff make illegal or unreasonable seizure and levy for taxes, he shall be liable in damages to the party aggrieved.

§ 15. If there be no personal property that the Sheriff or Tax

Collector can distrain for taxes due, and the same shall not be paid by the first day of June, the Sheriff or Tax Collector shall sell, for cash, any real estate belonging to or listed by such delinquent tax payer, or so much thereof as will pay the taxes due and his commission, in the same manner that lands are sold under execution, except that the land shall not be valued or levied on, and shall be advertised by posting, for fifteen days before the sale, a written or printed notice at the court-house door, and by publication, once a week for four weeks prior to the day of sale, in a newspaper of general circulation, if there be one in the county; if not, then by printed hand-bills posted for fifteen days before the sale, at the court-house door and in three or more conspicuous places in the tax district, and he shall, not less than fifteen days before the sale, mail to the delinquent a postal card addressed to his place of residence, or place of business, if such can be ascertained, notifying him of the time and place of the sale, and, in order to cover the cost of such advertisement and notification, the Sheriff shall have two dollars for each person whose property is advertised, to be paid by the delinquent, but in no event to be paid by the State.

§ 16. If no one will bid for and purchase such land at the amount of tax, the charges due and the cost of the sale, including the cost of advertising, it shall be the duty of the Sheriff or Collector to purchase the same for the State of Kentucky for the amount of the tax due, and the commission thereon, and shall make return to the County Clerk, who shall record the same in a book kept for that purpose, and the Clerk shall certify the same to the Auditor of Public Accounts, and the Sheriff or Tax Collector shall have a credit for the same in his settlement with the Auditor. The Clerk shall have a fee of twenty-five cents for making such entry. The owner of such real estate, his representatives, heirs or assigns shall have the right to redeem the same from the State or any other purchaser, at any time within two years after the day of sale, by paying the purchase money with interest at the rate of thirty per cent. per annum, and in addition fifteen per cent. on the total amount of the purchase price and the amount of the Clerk's costs, if any. The State shall have the right of possession of lands purchased by it at any time after the expiration of thirty days from the giving of the notice provided for in the next section, and the purchaser other than the State shall have the right of possession of the lands purchased by him at any time after the expiration of six months from the giving of the notice provided for in the next section.

§ 17. It shall be the duty of the County Attorney for each county, within fifty days after the sale, to notify the owner of land purchased by the State of such purchase; and if the land so purchased be not redeemed within thirty days from such notification, he shall institute proceeding for the recovery of the possession of such land; and if such land be redeemed after

such proceedings are instituted. the owner shall in addition pay the costs of such proceeding. The failure of the County Attorney to give such notice and institute such proceedings within the time specified shall subject him to a fine of twenty dollars for each offense; and it is hereby made the duty of the County Judge to report each and every such failure to the Circuit Court at its next term thereafter, whereupon the Circuit Judge shall cause to issue a rule against said County Attorney to show cause, if any, why said fine shall not be entered up against him, and such fine, when collected, shall be for the benefit of the county. In every case where such lands are redeemed from the State, the County Attorney shall have as his commission, when he attends to his duties, twenty per cent. of the amount of money paid to redeem such land; but if he shall fail to attend to his duties he shall receive no commission, and the whole of the redemption money shall belong to the county. It shall be the duty of the purchaser other than the State within fifty days after the sale, to give notice in writing to the owner of land purchased by him of such purchase, and if such land be not redeemed within six months after said notice, he may institute proceedings for the recovery of possession of such land.

§ 18. If the land be not redeemed within the two years allowed for that purpose, the fee-simple title thereto shall vest absolutely in the State, and if said lands, purchased by individuals, be not redeemed within the two years allowed for that purpose, the fee-simple title shall at once vest in such individuals. The State may, at any time after the period for redemption has expired, sell and convey such lands for such price and in such manner as may be directed by the Auditor of the State.

§ 19. As between the purchaser and the former owner of the property, it shall be conclusively presumed that all the steps necessary to pass a good title have been duly and regularly taken, except that the former owner may show by pleading and proof—

1. That the land was never assessed; and in order to show this it will not be sufficient to show that the assessment was defective merely.

2. That the property was not subject to taxation at the date of the assessment.

3. That the taxes were paid before the sale.

§ 20. Any one injured by a failure in, or the improper performance of, the duties of the Assessor or Sheriff, shall have a remedy on his official bond, and the criterion of his recovery shall be the value of the property lost by reason of such failure. No such action shall be maintained, unless such person shall allege and prove that he made diligent effort to have such property assessed and offered to pay the tax thereon, and on all other real property of his liable to assessment.

§ 21. Any minor or other person laboring under legal disability, except a lunatic or married woman, at the date of sale,

shall have one year after the removal of the disability within which to redeem such property, which may be done by paying the purchase money, with fifteen per centum on the amount thereof, and interest at the rate of thirty per cent. per annum from the date of the sale, and the costs of the sale. But any purchaser other than the State shall forfeit his right to his purchase, unless, within six months after the Sheriff shall have delivered to him a certificate of his purchase hereinafter provided for, he shall, in writing, give notice of his purchase to both husband and wife, in case the purchase be of the land of a married woman; or to the statutory guardian of an infant, if there be one; if not, to the parent; if none, to the persons having in charge such infant, if the purchase be of the land of an infant; or to the committee of the lunatic, if one; if none, then to the person having charge of such lunatic, if the purchase be of the land of a lunatic. If the lands of a lunatic or married woman be not redeemed within five years from the reception of the notice, the sale shall become absolute.

§ 22. If, after receiving such notice, the guardian of an infant or committee of a lunatic fail to redeem such lands, he shall be liable on his official bond for all damages incident to such failure.

§ 23. The Sheriff shall, within thirty days after the sale, give certificates of purchase describing the land, and stating the time of sale and the price for which said land sold, to all purchasers of lands; and in all cases where the purchaser of such lands is the State, the Sheriff shall, within six months, give the notice required by the twenty-first section; and for a failure on his part so to do, he shall be liable on his official bond for all damages incident thereto, but the title of the State shall not be thereby affected; but if the owner of land purchased can not be found, then the notices required by sections 17, 21 and 23 shall be served as follows, viz: First, upon any member of his family in the county over sixteen years of age; if none, then, second, upon his agent, if any in the county; and if none, then, third, by a printed or written notice, posted at or near the court-house door and on or near the premises.

§ 24. Where the right to redeem shall have expired, the Sheriff then in office shall convey to the purchaser the property described in his certificate of purchase, for which deed he shall be allowed a fee of one dollar, to be paid by the grantee in the deed.

§ 25. If the purchaser be the county, the land may be redeemed for an infant at any time during the infancy, and by him within one year after his maturity, by paying the amount necessary to the County Clerk, who shall enter upon the book mentioned in section 27, the word "redeemed" after the description of the land, and shall sign his name, in his official capacity, to said entry. The lands of a married woman or lunatic may be redeemed at any time within the period mentioned in section 21 in the same manner.

§ 26. If the purchaser be a non resident of the county, having no known agent in the county, or if, being a resident, he can not be found at his usual place of abode, the lands may be redeemed within the time and in the manner stated in the last preceding section; but if he be a resident of the county, and can be found at his usual place of abode, or if he, being a non-resident, has a known agent, who can be found at his usual place of abode, the redemption money must be paid to the purchaser or his agent, as the case may be; and in every case the certificate of purchase shall be surrendered to the party redeeming, who shall, by exhibiting the same to the County Clerk, be entitled to have the claim released of record, as in the last preceding section described.

§ 27. Within twenty days after the sale, the Sheriff shall, in his official capacity, make report, in writing, to the County Clerk, showing when the sale was made, the steps taken by him with reference thereto prior to and at the sale, to whom, for what price the land was sold, giving a description of the land sold as fully as he is able to do, which report shall be recorded and indexed by the County Clerk in a book to be provided by him for that purpose. The Sheriff shall at once notify the County Attorney of the filing of said report. Said report, when recorded, shall operate as a conveyance, and vest the title to the property of all persons *sui juris* in the State when purchased by the State, and shall be constructive notice to the world of the claim existing in favor of the purchaser, whether the State or an individual, against the lands of persons laboring under no legal disability. If the Sheriff shall fail to make said report, he shall be subject to indictment in the Circuit Court, and upon conviction shall be fined not less than five hundred nor more than one thousand dollars; but the title of the State shall not thereby be affected, and said report may be afterwards filed and recorded with the same effect as if filed and recorded at the proper time.

§ 28. If the Sheriff fails to make the return of sale to the County Clerk heretofore provided for, any individual purchaser may file with the County Clerk the Sheriff's certificate of purchase which the Clerk shall record and index in the book aforesaid, and the same shall have the same effect as the Sheriff's report would have had if returned.

§ 29. Copies of the records aforesaid, certified by the County Clerk, shall be evidence of the facts stated in them in all the courts of this Commonwealth.

§ 30. If any Clerk shall fail to pay the redemption money to the person entitled thereto on demand, he and his sureties shall be liable for the same and twenty per cent. interest thereon annually from the time he received it until paid.

§ 31. The Clerk shall be allowed for his services under the foregoing, one cent for each line of the book employed in recording the report, and he shall be paid thirty cents by the de-

linquent who redeems property for each release made by the Clerk.

§ 34. If any Sheriff shall knowingly sell the same tract or parcel of land more than once, he shall be fined one hundred dollars and be liable upon his official bond for all damages which may be sustained by any party aggrieved.

Mr. Cravens moved to amend said proposed substitute as follows, viz: Amend the substitute by striking out the words "thirty per cent." wherever it occurs, and by striking out of section 16 all of said section after the word "any" in the sixteenth line, and by striking out the whole of the seventeenth section.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the substitute proposed by Mr. Wallace for said article 9, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
W. W. Bush,	W. F. Neat,	R. S. Triplett,
A. R. Byers,	J. W. Ogilvie,	Robert Walker,
W. J. Caudill,	J. N. Price,	F. T. D. Wallace,
F. M. Clement,	F. D. Rigney,	E. L. Worthington,
W. M. Cravens,	D. H. Smith,	J. H. Wilson—20.
R. G. Hays,	J. R. W. Smith,	

Those who voted in the negative, were—

M. C. Alford,	Henry Dixon,	J. H. McDanell,
A. S. Berry,	W. H. Frederick,	L. W. McKee,
J. W. Bryan,	G. G. Gilbert,	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	E. R. Sparks.—12

Article 10 of said bill was then taken up for consideration.

Mr. Gilbert moved to amend section 1 of said article by striking out of line 7 the words "if in the county."

And the question being taken thereon, it was decided in the affirmative.

Section 1, as amended, was then adopted.

Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of said article were then taken up, read and respectively adopted.

Article 11 was then taken up for consideration.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 of said article were then taken up, read and respectively adopted.

Mr. Gilbert moved to strike out section 18.

And the question being taken thereon, it was decided in the affirmative.

Mr. Wallace moved to strike out section 19.

And the question being taken thereon, it was decided in the affirmative.

Mr. D. H. Smith moved to amend section 20 as follows, viz:

Amend section 20, of article 11, by striking from line 2 thereof the words "or on a *capias* that the person is not taken or if taken."

And the question being taken thereon, it was decided in the affirmative.

Section 20, as amended, was then adopted.

Article 12 of said bill was then taken up for consideration.

Section 1 was taken up, read and adopted.

Mr. Kendall moved to amend section 2 by striking out of lines 3 and 4 the words "or indictment in the Franklin Circuit Court."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kendall and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	S. E. Hill,	D. H. Smith,
W. W. Bush,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	J. H. McDanell,	W. H. Taulbee,
W. J. Caudill,	W. F. Neat,	R. S. Triplett,
F. M. Clement,	J. W. Ogilvie,	Robert Walker,
T. S. Grundy,	J. N. Price,	F. T. D. Wallace,
R. G. Hays,	F. D. Rigney,	J. H. Wilson—21.

Those who voted in the negative, were—

M. C. Alford, Henry Dixon, J. T. Simon,
J. W. Bryan, G. G. Gilbert, E. R. Sparks—8.
C. M. Clay, Jr., L. W. McKee,

Section 2, as amended, was then adopted.

Mr. Hill moved to reconsider the vote by which section 19, of article 11, was stricken out.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on striking out said section, and it was decided in the negative.

Mr. Hill moved to amend said section as follows, viz:

Amend section 19, article 11, as follows: Strike out the words "*capias pro fines* and" in first line, and strike out all of said section beginning with the words "*capias pro fine*" in third line.

And the question being taken thereon, it was decided in the affirmative.

Section 19, of said article 11, as amended, was then adopted.

Sections 3 and 4, of article 12, were then taken up, read and adopted.

Mr. Burnett moved to amend section 5, of said article 12, as follows, viz:

Amend by inserting chapter 1315, of the Acts of 1879-80, after 1884, in ninth line of said section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Burnett, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett, H. T. Kendall, F. D. Rigney,
W. W. Bush, W. F. Neat, Robert Walker,
F. M. Clement, J. W. Ogilvie, F. T. D. Wallace—10.
R. G. Hays,

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	J. T. Simon,
A. S. Berry,	G. G. Gilbert,	D. H. Smith,
J. W. Bryan,	T. S. Grundy,	J. R. W. Smith,
A. R. Byers,	S. E. Hill,	E. R. Sparks,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee,
C. M. Clay, Jr.,	L. W. McKee,	R. S. Triplett,
Henry Dixon,	J. N. Price,	J. H. Wilson—21.

Sections 5 and 6 were then read and respectively adopted.

Mr. Price moved to amend section 7 as follows, viz:

Amend by striking out the words "its passage" after the word "after" and insert "September 15, 1886," in lieu thereof, so that said section will read "this act shall take effect from and after September 15, 1886."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Section 7, as amended, was then adopted.

The Senate then took up for consideration section 1, of article 1.

Mr. J. R. W. Smith moved to amend said section by striking out the figures "47" in the second line and inserting in place thereof the figures "49."

And the question being taken thereon, it was decided in the negative.

Mr. Wallace moved to amend said section by striking out of the second line the figures "47" and inserting in lieu thereof the figures "45."

And the question being taken thereon, it was decided in the negative.

Mr. Wallace moved to reconsider the vote by which the Senate refused to adopt said amendment.

Mr. Alford moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Clement moved to amend said section 1, by striking out "47" and inserting "40" in lieu thereof in second line.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cravens and Bush, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett, T. S. Grundy, W. M. Cravens,
W. W. Bush, J. H. McDanell, D. H. Smith,
A. R. Byers, W. F. Neat, F. T. D. Wallace,
C. M. Clay, Jr., J. N. Price, J. H. Wilson—13.
F. M. Clement,

Those who voted in the negative, were—

M. C. Alford, S. E. Hill, J. R. W. Smith,
J. W. Bryan, H. T. Kendall, E. R. Sparks,
W. J. Caudill, L. W. McKee, W. H. Taulbee,
Henry Dixon, J. W. Ogilvie, R. S. Triplett,
W. H. Frederick, F. D. Rigney, E. L. Worthington,
G. G. Gilbert, J. T. Simon, Robert Walker—19.
R. G. Hays,

Mr. Kendall moved to amend said section 1 as follows, viz:

Amend by striking out "47 cents" and inserting in lieu thereof "37 cents."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kendall and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry, W. M. Cravens, J. N. Price,
R. A. Burnett, T. S. Grundy, D. H. Smith,
A. R. Byers, H. T. Kendall, E. R. Sparks,
C. M. Clay, Jr., J. H. McDanell, Robert Walker,
F. M. Clement, W. F. Neat, J. H. Wilson—15.

Those who voted in the negative, were—

M. C. Alford, G. G. Gilbert, J. R. W. Smith,
J. W. Bryan, S. E. Hill, W. H. Taulbee,
W. W. Bush, L. W. McKee, R. S. Triplett,
W. J. Caudill, J. W. Ogilvie, E. L. Worthington,
Henry Dixon, F. D. Rigney, F. T. D. Wallace—17.
W. H. Frederick, J. T. Simon,

Mr. Wallace moved to amend said section by striking out "47 cents" in line 2, and inserting "43 cents."

And the question being taken thereon, it was decided in the negative.

Mr. McKee moved to amend said section 1 by inserting "fifty-five cents," instead of "forty-seven cents," in line 2.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Byers, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, A. S. Berry, L. W. McKee—3.

Those who voted in the negative, were—

J. W. Bryan, R. A. Burnett, W. W. Bush, A. R. Byers, W. J. Caudill, C. M. Clay, Jr., F. M. Clement, W. M. Cravens, Henry Dixon, W H. Frederick, G. G. Gilbert, T. S. Grundy, S. E. Hill, H. T. Kendall, J. H. McDanell, W. F. Neat, J. W. Ogilvie, J. N. Price, F. D. Rigney, J. T. Simon, D. H. Smith, J. R. W. Smith, E. R. Sparks, W. H. Taulbee, R. S. Triplett, Robert Walker, F. T. D. Wallace, E. L. Worthington, J. H. Wilson—29.

On motion of Mr. Burnett,

Ordered, That the further consideration of said bill be postponed until to-morrow at 10:30 o'clock A. M.

On motion of Mr. Triplett, the Senate then adjourned until 4 o'clock P. M.

The Senate met pursuant to adjournment.

Mr. Cravens read and laid on the table a joint resolution, entitled

Resolution in relation to the mutilation and disappearance of certain bills.

The rule of the Senate requiring said resolution to lie over one day being dispensed with, said resolution was taken up, and reads as follows, viz:

WHEREAS, Through agencies mysterious and for causes unknown, certain bills introduced, apparently in good faith, for

approval or rejection by the General Assembly, according as its best judgment may determine, have in some instances disappeared, and in other instances have been mutilated; and whereas, by reason of such mysterious mutilations and disappearances, the people and the press of the Commonwealth are rightly demanding of this General Assembly a full and just inquiry into the true inwardness of this most important matter which threatens to become not only a State, but a national scandal, tarnishing the good name of this General Assembly, as a whole, a gross injustice, inasmuch as at best but several can possibly be concerned in having concealed or mutilated such bills; now therefore

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the purpose of ascertaining how, when and by what means such bills were mutilated or concealed or caused to be mutilated or disappear, and also for the purpose of reporting to this Legislature such action in the premises as may seem most expedient and wise, the Speaker of the Senate be, and he is hereby, directed to appoint forthwith a committee of three persons to be appointed by the Speaker of the House, whose duty it shall be to send for persons and papers, swear and examine witnesses, take testimony and pursue such other course as may, in their discretion, seem best for the faithful fulfillment of the objects contemplated in this resolution.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act authorizing and empowering Arthur Wilcox and Luke Dees, their heirs or assigns, to sue the Commonwealth of Kentucky to recover and have refunded to them the purchase money paid the State for lands purchased and entered by said Arthur Wilcox and Luke Dees, in the counties west of Tennessee river, under the act of January 3, 1825, and prior to February 28, 1835.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Bryan, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of the city of Covington,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bryan moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Berry, from the Committee on Printing, to whom was referred leave to bring in a bill, entitled

A bill to amend section 7, article 2, chapter 69, of the General Statutes,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 7, article 2, chapter 69, of the General Statutes, be amended so as to read as follows:

Whenever any paper or other stationery supplies shall be needed for the use of any of the public offices at the seat of Government, those in charge of said offices, and who are entitled by law to receive same, shall make application in writing to the Librarian, stating the quantity and kind required for the use of their offices, whereupon the Librarian shall, from time to time, with the approbation of the Secretary of State and the Attorney-General and Public Printer, purchase same in the open market, upon the best terms obtainable. They may, in their discretion, contract for all supplies contemplated in this act, and shall draw his warrant upon the Auditor of Public Accounts to pay for same.

The Librarian shall make a detailed statement of the kind, quantity and costs of the purchases made by authority of this act biennially, and lay same before the General Assembly.

§ 2. The Librarian shall receive two hundred and fifty dollars as compensation for the services required by this act.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,
A. S. Berry,
J. W. Bryan,
R. A. Burnett,
W. W. Bush,
W. J. Caudill,
C. M. Clay, Jr.,
F. M. Clement,
W. M. Cravens,
G. G. Gilbert,
S. E. Hill,
H. T. Kendall,
J. H. McDanell,
L. W. McKee,
J. W. Ogilvie,
J. N. Price,
F. D. Rigney,
J. T. Simon,
D. H. Smith,
J. R. W. Smith,
E. R. Sparks,
W. H. Taulbee,
R. S. Triplett,
F. T. D. Wallace,
E. L. Worthington,
Robert Walker—26.

Those who voted in the negative, were—

W. H. Frederick, W. F. Neat—2.

Resolved, That the title of said bill be as aforesaid.

By unanimous consent the rules were suspended, and the Senate took up for consideration a bill, entitled

An act for the protection of hotel-keepers.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That every person who shall, at any hotel or inn, order or cause to be furnished, any food or accommodation with intent to defraud the owner or proprietor of such hotel or inn out of the value of such food or accommodation, and every person who shall obtain credit at any hotel or inn by the use of any false pretense or device, and any person who, after obtaining credit or accommodation at any such hotel or inn, shall abscond or attempt to abscond or surreptitiously remove his baggage therefrom, or willfully refuse to pay reasonable compensation therefor, with intent to defraud the owner or keeper of such hotel or inn, shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail not exceeding sixty days, or fine not exceeding one hundred dollars, or by both such fine and imprisonment, in the discretion of the court: *Provided*, That the provisions of this act shall not apply to boarders at any hotel by the week or month.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Triplett and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. M. Cravens,	F. D. Rigney,
A. S. Berry,	Henry Dixon,	D. H. Smith,
J. W. Bryan,	S. E. Hill,	E. R. Sparks,
A. R. Byers,	J. H. McDanell,	E. L. Worthington,
W. J. Caudill,	L. W. McKee,	F. T. D. Wallace—17.
F. M. Clement,	W. F. Neat,	

Those who voted in the negative, were—

R. A. Burnett,	T. S. Grundy,	J. R. W. Smith,
W. W. Bush,	H. T. Kendall,	W. H. Taulbee,
C. M. Clay, Jr.,	J. W. Ogilvie,	R. S. Triplett,
W. H. Frederick,	J. N. Price,	Robert Walker—14.
G. G. Gilbert,	J. T. Simon,	

Resolved, That the title of said bill be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Berry, from the Committee on Education—

A bill to amend an act, entitled "An act to incorporate the Standard Normal University," approved April 28, 1886.

By Mr. McKee, from the Committee on Military Affairs—

A bill to incorporate the Bond's Mill and Lillard's Ferry Turnpike Road Company, in Anderson county.

By Mr. Berry, from the Committee on Education—

A bill to consolidate common school districts Nos. 83, 84 and 86 for white children, in Barren county, Kentucky.

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill for the benefit of the Millersburg Cemetery Company, incorporated by an act approved February 28, 1860.

By Mr. Neat, from the Committee on Military Affairs—

A bill to incorporate the Crooked Creek Turnpike Road Company, in Anderson county.

By Mr. Bryan, from the Committee on the Judiciary—

A bill to amend the charter of the town of Pembroke, in Christian county.

By Mr. Gilbert, from the Committee on the Judiciary—

A bill to amend the charter of the Shelbyville and Taylorsville Turnpike Road Company.

By Mr. Grundy, from the Committee on Internal Improvements—

A bill declaring Cypress creek, in McLean county, a navigable stream, and fixing a penalty for obstructing the same.

By Mr. Berry, from the Committee on Education—

A bill making the graduates of the West Kentucky Classical and Normal College, or the South Carrollton Male and Female Institute, qualified teachers in any of the public schools of the State of Kentucky.

By Mr. Bryan, from the Committee on the Judiciary—

A bill for the benefit of Charles Moffard, of Nicholas county.

By Mr. Price, from the Committee on Claims—

A bill for the benefit of Robert Young, of Cumberland county.

By Mr. Ogilvie, from the same committee—

A bill for the benefit of Thompson, Wilson & Co.

By Mr. Rigney, from the Committee on Military Affairs—

A bill to incorporate the Franklin County and Pigeon Fork Meeting-house Turnpike Road Company.

By Mr. Burnett, from the Committee on General Statutes—

A bill to amend section 19, chapter 42, of General Statutes, title "Ferries."

By Mr. Simon, from the Committee on Codes of Practice—

A bill to amend section 342, of the Civil Code of Practice.

By Mr. Simon, from the Committee on the Judiciary—

A bill for the benefit of George A. Hurst, of Anderson county.

By Mr. Worthington, from the Committee on the Judiciary—

An act to enable the County Court of Mason county to provide for turnpikes in Mason county.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous and malt liquors in Breckinridge county.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Price, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of George H. Marshall, of Union county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor is hereby directed to draw his warrant on the Treasury in favor of George H. Marshall, of Union county, for the sum of one hundred and fifty dollars, in full payment for keeping Nancy Morris, a pauper idiot, from the twenty-sixth day of March, 1884, to the twenty-sixth day of March, 1886.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	F. D. Rigney,
A. S. Berry,	G. G. Gilbert,	J. T. Simon,
J. W. Bryan,	T. S. Grundy,	D. H. Smith,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
W. W. Bush,	H. T. Kendall,	E. R. Sparks,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee,
C. M. Clay, Jr.,	L. W. McKee,	R. S. Triplett,
F. M. Clement,	W. F. Neat,	Robert Walker,
W. M. Cravens,	J. W. Ogilvie,	E. L. Worthington,
Henry Dixon,	J. N. Price,	F. T. D. Wallace—30.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration amendments proposed by the House of Representatives to bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Exchange Insurance Company, of Covington, Kentucky.

An act to amend section 5, of an act, entitled "An act to further regulate the retail traffic in spirituous, vinous and malt liquors and nostrums used as a beverage," approved May 5, 1880.

An act to limit the amount of the indebtedness of Gallatin county for turnpike purposes.

Mr. Burnett, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Little Fork Coal Company, in Carter county,

Reported the same without amendment.

Mr. Price moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the motion heretofore entered by Mr. Caudill to reconsider the vote by which the Senate had passed, with an amendment, a bill which originated in the House of Representatives, entitled

An act to incorporate the Charleston, Kentucky and Western Railway Company.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate adopted an amendment proposed by Mr. Caudill to an amendment offered by the committee to said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The vote by which the Senate adopted the amendment proposed by the committee to said bill, was then reconsidered.

Mr. Caudill moved an amendment to the amendment proposed by the committee, which was adopted.

The amendment proposed by the committee, as amended, was then adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. J. R. W. Smith, from the Committee on Railroads—

A bill to incorporate the Carrollton and Louisville Railroad Company.

By Mr. Hill, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company."

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

A bill to amend the charter of the Jefferson Southern Pond and Draining Company.

By Mr. Wallace, from the Committee on General Statutes—

A bill to amend chapter 137, Session Acts, 1886, approved March 2, 1886.

By Mr. Ogilvie, from the Committee on Internal Improvements—

A bill to amend the charter of the Daviess Gravel Road Company.

By Mr. Frederick, from the same committee—

A bill to incorporate the Scottsville and Brown's Ford or Long Creek Turnpike Road Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Sparks, from the Committee on Immigration and Labor, to whom was referred a bill from the House of Representatives, entitled

An act for the continuation of the Geological Survey,

Reported the same without amendment.

Mr. Clay moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	G. G. Gilbert,	J. N. Price,
R. A. Burnett,	T. S. Grundy,	E. L. Worthington,
C. M. Clay, Jr.,	J. H. McDanell,	W. H. Taulbee—10.
W. M. Cravens,		

Those who voted in the negative, were—

M. C. Alford,	W. H. Frederick,	F. D. Rigney,
J. W. Bryan,	R. G. Hays,	J. T. Simon,
W. W. Bush,	S. E. Hill,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	E. R. Sparks,
W. J. Caudill,	L. W. McKee,	R. S. Triplett,
F. M. Clement,	W. F. Neat,	Robert Walker,
Henry Dixon,	J. W. Ogilvie,	F. T. D. Wallace—21.

Mr. D. H. Smith moved to postpone the further consideration of said bill indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Caudill and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	F. M. Clement,	J. N. Price,
R. A. Burnett,	W. H. Frederick,	D. H. Smith,
W. W. Bush,	T. S. Grundy,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	Robert Walker—12.

Those who voted in the negative, were—

M. C. Alford,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	H. T. Kendall,	J. R. W. Smith,
W. J. Caudill,	J. H. McDanell,	E. R. Sparks,
C. M. Clay, Jr.,	L. W. McKee,	R. S. Triplett,
Henry Dixon,	J. W. Ogilvie,	E. L. Worthington,
G. G. Gilbert,	F. D. Rigney,	F. T. D. Wallace—19.
R. G. Hays,		

Mr. Clay moved that the Senate do now adjourn.

Mr. Bryan moved that the Senate do now adjourn until this evening at 8:30 o'clock.

Pending the consideration of said motions the hour of 5:30 o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

WEDNESDAY, MAY 12, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives announcing that they had received official information that the Governor had approved enrolled bills which originated in the House of Representatives of the following titles, viz:

An act to provide for the registration of voters in the city of Paducah.

An act to amend an act, entitled "An act to incorporate Carr Institute."

An act defining the jurisdiction of the Quarterly Court of the county of Carlisle.

An act to establish a new voting precinct in the county of Christian.

An act to incorporate the Funeral Director's Association, of the Falls City.

An act to enable T. F. Wilborn, of Crittenden county, to adopt Cora Ennis as his heir at law.

An act to amend an act, entitled "An act to incorporate the town of Horse Cave, in Hart county," approved March 15, 1869.

An act to amend the charter of the Kentucky State Dental Association.

An act declaring Billey's Fork and Stewart's Fork, of Miller's creek, in Estill county, navigable streams.

An act to amend section 5, article 29, chapter 29, of the General Statutes, entitled "Crimes and Punishments."

An act to create a voting precinct in Anderson county.

An act to incorporate the Paducah and Fort Jefferson Railroad Company.

An act to amend and reduce into one the several acts in relation to the Police Court of Elizabethtown.

An act to reduce the number of magisterial districts in Spencer county.

An act to incorporate the Normal and Business College of Central Kentucky.

An act for the benefit of the Kentucky Institution for the Education of the Blind.

An act for the benefit of T. J. Denton, of Grayson county.

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts and laws in relation to the town of Williamsburg, in Whitley county," approved February 9, 1884.

An act to amend the charter of Eminence College, at Eminence, Henry county, Kentucky.

That they had passed bills which originated in the Senate of the following titles, viz:

An act amending an act in relation to loans made by the Sinking Fund Commissioners of the city of Louisville to the city of

Louisville, limiting the loan to fifty thousand dollars in any one year.

An act to amend the charter of the town of Fordsville, in Ohio county.

An act providing for filling vacancies that have or may hereafter occur in the office of Judge of the Louisville Law and Equity Court.

An act to incorporate the Owensboro Safety Vault and Trust Company.

With amendments to the two last-named bills.

The amendment to the last-named bill was taken up and concurred in.

That they had adopted a joint resolution and passed bills of the following titles, viz:

1. Resolution for the benefit of John Haly, of Franklin county.

2. An act to provide against dangers from carbon and petro leum oils, and to provide for gauging of oils, naptha and turpentine.

3. An act to incorporate the Co-operative Mining and Manufacturing Company.

4. An act to establish a State Normal School for colored persons.

5. An act for the benefit of James H. Young, of Adair county.

6. An act to establish for the State of Kentucky a State weather service.

7. An act to fix the time for holding the Common Pleas Court in the district composed of Fayette, Franklin, Jessamine, Scott and Woodford.

8. An act to amend chapter 84, of the General Statutes, title "Peddlers."

Which resolution and bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Claims; the 3d and 6th to the Committee on Agriculture and Manufactures; and the 4th to the Committee on Education,

And the 5th, 7th and 8th named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. R. W. Smith, from the Committee on Public Expenditures, to whom was referred leave to bring in a bill, entitled

A bill changing the time of holding the Circuit Court in the Ninth Judicial District,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read the second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

A message was received from the House of Representatives asking leave to withdraw from the Senate a bill which originated in the House of Representatives, entitled

An act to repeal chapter 1445 of an act, entitled "An act to amend an act to prohibit the sale of spirituous, vinous and malt liquors in the counties of Laurel, Rockcastle, Jackson, Owsley and Clay," approved April 4, 1884.

Which was granted, and the bill delivered to the messenger.

The Senate took up for consideration the motion heretofore entered by Mr. Clay to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act authorizing the voters of Montgomery county to vote on the proposition as to whether or not spirituous, vinous or malt liquors shall be sold in said county.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

Mr. Hays moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act for the benefit of George A. Hurst, of Anderson county.

Which motion was simply entered.

Mr. Bryan withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to amend the charter of the city of Covington.

Mr. Wilson withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to incorporate the Kentucky Midland Railroad Company.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Burnett, from the Committee on General Statutes—

An act to establish an additional voting precinct in Lyon county.

By Mr. Gilbert, from the Committee on the Judiciary—

An act to incorporate the Mt. Vernon Meeting-house and Harrisonville Turnpike Road Company, in Shelby county.

By Mr. Worthington, from the same committee—

An act authorizing a sale of the Infirmary farm and buildings, in Lewis county.

Mr. Frederick moved that the rules be suspended, and that the Senate take up for consideration a bill which originated in the House of Representatives, entitled

An act to regulate official advertising in Jefferson county.

And the question being taken on said motion, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Price and Cravens, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett, W. H. Frederick, J. T. Simon,
C. M. Clay, Jr., J. W. Ogilvie, E. R. Sparks—8.
F. M. Clement, F. D. Rigney,

In the negative, W. J. Caudill—1.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend and reform the common school laws of this Commonwealth," chapter 1330, approved May 12, 1884.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That article 3 of said act be repealed and that the following be inserted and substituted in lieu thereof:

ARTICLE III.

District Taxation.

§ 1. In any common school district in the State in which the clearly ascertained will of the people shall be in favor of a district tax in aid of common schools therein, the levying of such a tax therein shall be lawful.

§ 2. The will of the people of any district in relation to such a tax shall be determined by a vote of the qualified voters thereof at the time and place and in the manner prescribed in the first section of the eighth article of the Reformed School Laws for the election of district trustees; and any widow, spinster or alien residing in any school district who is a tax payer or who has children within the ages fixed by the common school laws to be educated, shall be deemed a qualified voter under this act: *Provided*, That previous to the taking of such a vote, printed notices, signed by the County Superintendent of the county in which such district lies and by the trustees of such district stating the amount and object of the tax proposed to be raised and the time and place of taking the vote, shall have been posted by the chairman for fifteen days at three or more prominent places in the district: *Provided further*, When lines dividing school districts pass through the lands of any person, dividing the same, the taxes shall be levied and paid to that district where the homestead may be situated.

§ 3. That it shall be lawful to submit the question of local taxation once a year after notices have been duly posted as

above by the chairman of the board of trustees at three or more prominent places in the district for fifteen days preceding: *Provided*, That when the amount, object and length of time are clearly and distinctly stated in the notices, the tax may be voted for three successive years.

§ 4. The officers of the election shall return a fair and true record of the votes taken for and against such a tax, certified and sworn to by themselves before some officer authorized to administer oaths, to the County School Superintendent if he shall not have presided at the election, or to the County Judge if the Superintendent shall have presided; and if it be found that a majority of those voting shall have voted in favor of such district tax, such fact shall be so certified to the parties concerned, and it shall be the duty of the County School Superintendent of the county to furnish the Sheriff or the collector with the boundary of the district and of such officer to collect said district tax.

§ 5. That the board of trustees may appoint a collector of district taxes, who shall have the power to collect by distraint as Sheriffs are now empowered to collect the State revenue; but the officer collecting such tax shall not be allowed over six per cent. He shall be required to give bond for the faithful performance of his duties and shall make settlement with the board of trustees. The duties prescribed for the Sheriff in regard to the State revenue shall be complied with by said collector.

§ 6. The money thus raised shall be accounted for and paid over by the Sheriff or the collector, within two months after it has been voted or subsequently upon the order of the trustees in the same manner in which he is required to account for and pay over the State revenue, to the Superintendent of the county.

§ 7. The money thus raised and paid to the Superintendent shall be paid out on the order of the trustees, and the Superintendent shall be responsible on his bond therefor. It shall be expended for either of the objects herein specified, and for nothing else, to wit: The better payment of the teachers thereof; for the extension of the free school for a longer term; or for the payment of any debt contracted by the trustees on account of the common school.

§ 8. The chairman shall make settlement with the County School Superintendent for the amount of money thus received at the time of making his report to said Superintendent, as required by the thirteenth section of the eighth article of the Reformed School Laws, and shall show by vouchers how the money has been disbursed; and should the said Superintendent discover any fraud or misappropriation of funds on the part of said trustees, it shall be his duty to proceed against them, as authorized by the fifteenth section of the eighth article of the Reformed School Laws.

§ 9. The County School Superintendent shall, in making his

annual report to the Superintendent of Public Instruction of the schools taught in his county, make report also of the amount of money thus raised, and the manner in which it has been appropriated.

§ 10. The tax allowed under the foregoing section shall not exceed twenty-five cents in any one year on the hundred dollars' worth of taxable property in the district.

§ 11. The provisions of the foregoing section shall apply to all cities and towns reporting as one district, which have not now the privilege of levying a special school tax.

§ 12. That article 4, section 5, be so amended as to substitute in line 8 "County Superintendent" for "trustees," and in line 9 "counties" for "district," and in line 10 "counties" for "district."

§ 13. That article 4, section 7, be so amended as to omit "orphan" in line 3 and to add at the close of the section the following words: "providing said children attend the public school."

§ 14. That article 4, section 9, be so amended as to omit entirely the last sentence of the section immediately after the words "employed as a teacher."

§ 15. That article 4, section 9, be so amended as to add thereto at its close the following: "In contribution on the part of the Commonwealth toward the payment of the normal teachers and their assistants for the services that may be duly rendered for the full sessions of the said State Teachers' Institute, and for advertising, and for the printing of proper programmes for the same, the Superintendent of Public Instruction is hereby authorized to draw his draft on the Auditor of Public Accounts for a sum not exceeding five hundred dollars annually, payable out of any money in the Treasury not otherwise appropriated.

§ 16. That article 5, section 9, lines 4 and 5, be so amended as to read, in lieu of "to the County Judge of any county in which such neglect of duty." to the County Attorney, whose duty it shall be to prosecute "such person in the Circuit Court of the county in which such neglect of duty," etc.

§ 17. That in article 6, section 1, line 8, "twenty-four" be so amended as to read "twenty one."

§ 18. That article 6, section 2, line 3, be so amended as to substitute "1886" for "1884," and "four years" for "two years."

§ 19. That article 6, section 3, be so amended as to substitute "The County Superintendents elected and qualified under this act shall hold their offices for four years, or until their successors are elected and qualified."

§ 20. That article 6, section 4, be so amended as to substitute, "No person shall be eligible to the office of County Superintendent unless he shall have first obtained a certificate of qualification from the State Board of Examiners, which may be granted on an examination held before them, or upon a written examination held before the County Judge, the County Attor-

ney, the County Clerk and a competent person selected by them; the result of said written examination to be forwarded to the State Board of Examiners, who may, if they deem it sufficient, grant a certificate, and if they refuse it, shall notify the aforesaid County Board, and no certificate can then be granted the said applicant for the election then pending. The State Board of Education shall designate to the County Board the character of examination required.

§ 21. That article 6, section 8, be so amended as to add, after the words "his county," in line 8, "but under no circumstances shall any census for any district, unless for its reduction, be corrected after the thirtieth of June of the year in which the census was taken."

§ 22. That article 6, section 9, be so amended as to add thereto, "In case he shall fail or refuse to discharge his duty as herein provided for, he shall be fined not less than twenty dollars nor more than fifty dollars."

§ 23. That article 6, section 23, be so amended as to omit in line 2 the words "or transfer," and to add in line 3 after the words "directly or indirectly" the words "or to act as agent for the sale of any book."

§ 24. That article 6, section 27, be so amended as to add immediately after line 4 the words "duly qualified."

§ 25. That article 7, section 2, be so amended as to omit in lines 11 and 12 the words "and that the change will not injure the school of any adjoining district."

§ 26. That article 8, section 1, be so amended as to substitute in line 6 "1 o'clock P. M. till 6 o'clock," for "9 o'clock A. M. till 5 o'clock."

§ 27. That article 8, section 7, be so amended as to add in line 3 after the words "been condemned," the words "and needs repairing," and after the words "necessary to," the words "purchase a site and to."

§ 28. That article 8, section 7, be so amended as to add in line 9, after the words "applied to the," the words "repairing, or to the purchase of a site and to the."

§ 29. That article 8, section 7, be so amended as to repeal the last seven lines of said section, beginning with the words, "but before said order imposing said taxes."

§ 30. That article 8, section 12, be so amended as to read at its close, beginning in line 21 with "may attend the school without payment to the teacher of the State and county *per capita* apportioned each of the other children of the school, unless the general attendance at the school should exceed the census of its district."

§ 31. That article 9, section 1, be amended by inserting the words "and second-class" after the word "first-class," in the eighth line of said section.

§ 32. That article 10, section 5, be so amended as to substitute in line 1 the word "recovered" for the word "appoint."

§ 33. That article 12, section 5, be so amended as to read, from line 3 to line 7, inclusive, as follows: "*Provided, however*, That no tax shall be levied upon the property or poll, or any services required of any white person for the benefit of a school for colored children, and no tax shall be levied upon the property or poll, or any services required of any colored person for the benefit of a school for white children."

§ 34. The school districts of the several counties, as at present described and numbered, shall be retained until altered or abolished pursuant to this chapter, but no two districts in the same county shall be known by the same name or number. No change in the boundary of any district shall be made to take effect during any school year, unless made previous to the taking the census for such school year; nor shall the boundary of any district be enlarged unless notice in writing be first given to the trustees of other districts to be affected thereby, and an opportunity afforded them to resist the application for such enlargement.

§ 35. No district shall include more than one hundred white children, between the ages of six and twenty years, unless it contains a town or village within its limits, or there be established therein a high school, academy or college entitled pursuant to this chapter to a share of the revenue of the common school fund, and no one shall contain less than forty such children, except in cases of extreme necessity, and in no case less than twenty. In all cases where the number of such children shall exceed one hundred or fall below forty, the County Superintendent shall state the reason thereof in his report to the Superintendent, the boundary of no district shall extend more than four miles square, unless it is necessary to enlarge the same so as to include the minimum number of children. Each school-house hereafter erected shall be located as near the center of the district as practicable.

§ 36. The County Superintendent shall, in a book kept in his office for that purpose, and subject to public inspection, describe each district in his county by its number and boundary, and shall furnish to the trustees of each district a description of the boundary thereof.

§ 37. The County Superintendent of two adjoining counties where the division line intersects a neighborhood whose convenience requires it, may lay off a district composed of parts of both counties, such district shall be reported together with its census of pupil children, only as belonging to the county in which the school-house of the same may be situated by the commissioner of said county, and he shall make report and draw for the whole district as though it lay entirely within his county.

§ 38. Where the two school districts adjoin it shall be lawful for the children in either of such adjoining districts to be taught in and at such school-house as shall be most convenient to them: *Provided, however*, That their tuition fees shall be

paid over to the teacher of that district in which they may be taught and that no such change shall be made without the assent of the trustees of both said school districts. In case of an agreement of the kind provided for in this section, the trustees of the district in which the children were reported shall notify the commissioner and he shall deduct the tuition fees of said pupils from the district giving permission, and pay them over to the teacher in the district in which they are taught.

§ 39. When a city, town or village establishes and maintains a system of common schools adequate to the teaching of all the children therein and which all applying for instruction are permitted to attend free of charge, the same shall be deemed one district and entitled to its proportion of the school fund. Such city or town shall, through its school agents or other officers deputed for that purpose, make its annual report to the County Superintendent of the county for the several schools therein at the time and in a similar manner to that required of the trustees of a district. They shall also take the census of the white children therein and make return thereof to such County Superintendent as and at the time trustees are required by this chapter to do and shall, for neglect or violation of their duties in that respect, be liable to the same penalties. The County Superintendent shall have no control over the schools in such district, but the same shall be governed in all respects by the local authorities.

§ 40. All acts or parts of acts in conflict with this act are hereby repealed.

§ 41. This act shall take effect from its passage.

Mr. Wilson moved that the further consideration of said bill be postponed until Thursday, May 13th, at 10:30 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

Mr. Price moved that said bill be considered section by section.

Mr. Gilbert moved to reconsider the vote by which the Senate had ordered said bill to be considered section by section.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Triplett, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	G. G. Gilbert,	F. D. Rigney,
R. A. Burnett,	T. S. Grundy,	J. T. Simon,
W. W. Bush,	R. G. Hays,	D. H. Smith,
A. R. Byers,	S. E. Hill,	E. R. Sparks,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
C. M. Clay, Jr.,	J. H. McDanell,	E. L. Worthington,
F. M. Clement,	W. F. Neat,	R. S. Triplett—21.

Those who voted in the negative, were—

L. M. Martin,	Robert Walker,	J. H. Wilson—3.

Mr. Price moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Price and Cravens, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers,	R. G. Hays,	J. H. McDanell—3.

Those who voted in the negative, were—

A. S. Berry,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	S. E. Hill,	D. H. Smith,
R. A. Burnett,	H. T. Kendall,	E. R. Sparks,
W. W. Bush,	L. M. Martin,	W. H. Taulbee,
W. J. Caudill,	W. F. Neat,	R. S. Triplett,
C. M. Clay, Jr.,	J. W. Ogilvie,	E. L. Worthington,
F. M. Clement,	J. N. Price,	J. H. Wilson—23.
G. G. Gilbert,	F. D. Rigney,	

The question was then taken on the adoption of the motion made by Mr. Price to consider said bill section by section, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Price and Martin, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Bush,	L. M. Martin,	Robert Walker,
A. R. Byers,	J. N. Price,	J. H. Wilson—7.
W. M. Cravens,		

Those who voted in the negative, were—

A. S. Berry,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	S. E. Hill,	D. H. Smith,
R. A. Burnett,	H. T. Kendall,	J. R. W. Smith,
W. J. Caudill,	J. H. McDanell,	E. R. Sparks,
C. M. Clay, Jr.,	W. F. Neat,	W. H. Taulbee,
F. M. Clement,	J. W. Ogilvie,	E. L. Worthington,
G. G. Gilbert,	F. D. Rigney,	R. S. Triplett—21.

Mr. Price moved the previous question.

And the question being taken "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Price and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	H. T. Kendall,	J. T. Simon,
J. W. Bryan,	J. H. McDanell,	D. H. Smith,
W. W. Bush,	W. F. Neat,	E. L. Worthington,
G. G. Gilbert,	F. D. Rigney,	J. R. W. Smith—13.
S. E. Hill,		

Those who voted in the negative, were—

R. A. Burnett,	W. H. Frederick,	J. N. Price,
A. R. Byers,	T. S. Grundy,	W. H. Taulbee,
W. J. Caudill,	R. G. Hays,	R. S. Triplett,
C. M. Clay, Jr.,	L. M. Martin,	Robert Walker,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—16.
W. M. Cravens,		

Mr. Cravens moved to amend said bill as follows, viz:

Amend article 3 by adding to said article the following: "The provisions of this article shall not apply to counties that have a county taxation in aid of common schools, until the time expires for which such county taxation is levied."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Price and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr., W. H. Frederick, E. L. Worthington,
F. M. Clement, R. G. Hays, Robert Walker—8.
W. M. Cravens, J. N. Price,

Those who voted in the negative, were—

A. S. Berry, S. E. Hill, J. T. Simon,
J. W. Bryan, H. T. Kendall, D. H. Smith,
R. A. Burnett, L. M. Martin, E. R. Sparks,
W. W. Bush, W. F. Neat, W. H. Taulbee,
W. J. Caudill, J. W. Ogilvie, J. H. Wilson—16.
G. G. Gilbert,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry, W. H. Frederick, J. W. Ogilvie,
J. W. Bryan, G. G. Gilbert, F. D. Rigney,
R. A. Burnett, T. S. Grundy, J. T. Simon,
W. W. Bush, R. G. Hays, D. H. Smith,
A. R. Byers, S. E. Hill, J. R. W. Smith,
W. J. Caudill, H. T. Kendall, E. R. Sparks,
C. M. Clay, Jr., L. M. Martin, W. H. Taulbee,
F. M. Clement, J. H. McDanell, E. L. Worthington,
W. M. Cravens, W. F. Neat, R. S. Triplett—28.
Henry Dixon,

In the negative—J. H. Wilson—1.

Resolved, That the title of said bill be as aforesaid.

Mr. D. H. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Simon moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Cravens, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	D. H. Smith,
W. J. Caudill,	S. E. Hill,	J. R. W. Smith,
C. M. Clay, Jr.,	H. T. Kendall,	E. R. Sparks,
Henry Dixon,	W. F. Neat,	E. L. Worthington,
W. H. Frederick,	J. T. Simon,	R. S. Triplett—16.
G. G. Gilbert,		

Those who voted in the negative, were—

R. A. Burnett,	L. M. Martin,	F. D. Rigney,
A. R. Byers,	J. W. Ogilvie,	W. H. Taulbee,
F. M. Clement,	J. N. Price,	J. H. Wilson—9.

Mr Bryan, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to provide for the appointment of a commission to examine the books, papers and official records of the Auditor of Public Accounts and the State Treasurer,

Reported the same without amendment thereto.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a commission of three persons, each of whom shall be an experienced and practical accountant, one of whom shall be a Republican in politics, shall be appointed by the Governor, by and with the advice and consent of the Senate, within twenty days after the passage of this act, to make an examination of the books, papers and official records of the Auditor of Public Accounts and of the Treasurer of the State. Said commissioners to make such examinations shall qualify by taking the oath of office required by law, and shall enter upon the discharge of their duties immediately upon receiving notice of their appointment: *Provided*, That no person now employed in any of the departments of the State shall be eligible.

§ 2. The commissioners authorized to be appointed by the foregoing section shall have full power and authority to conduct such examination in person, and it shall be the duty of the Auditor and Treasurer aforesaid to give them free access to all the official records, and to accord to them the full and free use of all books, papers and accounts on file in either office, and to afford them every facility to make such examination thorough and complete that shall not be inconsistent with the proper use

of the official records of their respective offices in the transaction of public business.

§ 3. It shall be the duty of said commissioners to ascertain whether the books, papers and accounts of these officers are kept in a correct, methodical and business-like manner, and whether any part of the funds of the State which have come into their hands has been directed by them from its proper and lawful use, and whether the sum on hand in the State Treasury is the sum shown by the official records of said officers to be the unexpended balance at the date of such examination, and they will further inquire of and extent of the security afforded the State by the official bonds of said officers.

§ 4. The examination shall be completed in six months from the date of the qualification of the commissioners, and they shall report the same to the Governor at once, who shall publish said report in six or more newspapers having the largest circulation in the State, and shall also lay the same before the next General Assembly, with such suggestions as he may deem proper and take such other action as he may deem necessary in the premises; said examination to cover the period from January 1, 1880, to date.

§ 5. It shall be the duty of the Librarian to furnish all necessary stationery to the commissioners, and said commissioners shall be paid an amount not exceeding $7.50 per day while in actual service. The pay accounts of the commissioners shall be approved by the Governor before payment is made thereon.

§ 6. This act shall take effect and be in force from and after its passage.

Mr. Grundy moved to amend section 4, of said bill, by striking out, after the word "completed" in the first line, the words "in six months" and inserting in lieu thereof the words "in three months."

Mr. Grundy moved to lay said bill and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grundy and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	W. H. Frederick,	W. H. Taulbee,
W. W. Bush,	R. G. Hays,	Robert Walker,
F. M. Clement,	F. D. Rigney,	J. H. Wilson—10.
W. M. Cravens,		

Those who voted in the negative, were—

J. W. Bryan,	S. E. Hill,	J. W. Ogilvie,
A. R. Byers,	H. T. Kendall,	J. N. Price,
C. M. Clay, Jr.,	L. M. Martin,	J. T. Simon,
Henry Dixon,	J. H. McDanell,	J. R. W. Smith,
G. G. Gilbert,	L. W. McKee,	E. R. Sparks,
T. S. Grundy,	W. F. Neat,	R. S. Triplett—18.

The question was then taken on the adoption of the amendment proposed by Mr. Grundy, and it was decided in the affirmative.

Mr. Hays moved to amend said bill by striking out of section 5 the words "not exceeding seven dollars and a half" and inserting in lieu thereof the words "not exceeding five dollars."

And the question being taken thereon, it was decided in the affirmative.

Pending the further consideration of said bill, the hour of 11 o'clock A. M. having arrived, further action thereon was cut off by the special order of the day.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

[*For bill, see Senate Journal of April 21st.*]

Mr. Burnett moved to reconsider the vote by which section 5, of article 12, was adopted.

And the question being taken thereon, it was decided in the affirmative.

Mr. Burnett moved to amend said section 5, of article 12, as follows, viz:

Amend by adding to said section the following words, viz: "Or with an act, entitled 'An act for the benefit of the branch Penitentiary at Eddyville,' approved April 7, 1886."

And the question being taken thereon, it was decided in the affirmative.

Said section 5, of article 12, as amended, was then adopted.

Mr. Bush moved that the consideration of section 1, article 1, be postponed until the remainder of the bill was disposed of.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration the motion heretofore entered by Mr. Feland to reconsider the vote by which article 2, of said bill, was adopted.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and Bush, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	W. M. Cravens,	J. W. Ogilvie,
W. W. Bush,	G. G. Gilbert,	J. N. Price,
C. M. Clay, Jr.,	S. E. Hill,	J. T. Simon,
F. M. Clement,	W. F. Neat,	J. H. Wilson—12.

Those who voted in the negative, were—

A. S. Berry,	R. G. Hays,	D. H. Smith,
J. W. Bryan,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	L. M. Martin,	E. R. Sparks,
W. J. Caudill,	J. H. McDanell,	W. H. Taulbee,
Henry Dixon,	L. W. McKee,	R. S. Triplett,
W. H. Frederick,	F. D. Rigney,	Robert Walker—19.
T. S. Grundy,		

Mr. Grundy moved to amend the bill as follows, viz:

Strike out all after article 2 and add the present revenue bill with two cents additional tax on the one hundred dollars of taxable property.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grundy and McDanell, were as follows, viz:

Those who voted in the affirmative, were—

W. M. Cravens,	H. T. Kendall,	Robert Walker,
W. H. Frederick,	J. H. McDanell,	J. H. Wilson—8.
T. S. Grundy,	J. N. Price,	

Those who voted in the negative, were—

R. A. Burnett,	G. G. Gilbert,	J. R. W. Smith,
W. W. Bush,	S. E. Hill,	E. R. Sparks,
A. R. Byers,	L. W. McKee,	W. H. Taulbee,
W. J. Caudill,	J. W. Ogilvie,	E. L. Worthington,
F. M. Clement,	J. T. Simon,	R. S. Triplett—16.
Henry Dixon,		

Mr. Simon moved to amend said bill as follows, viz:

Amend article 8 by adding the following section, viz:

The Clerk of the Criminal Courts shall perform the same services that the Clerk of Circuit Courts are required by this act, and shall be subject to all the penalties provided in this article, in all counties in this Commonwealth where Criminal Courts have been established, so long as said court may be continued.

And the question being taken thereon, it was decided in the affirmative.

Mr. Burnett moved to reconsider the vote by which the substitute proposed by Mr. Wallace for article 9 was adopted.

And the question being taken thereon, it was decided in the affirmative.

Mr. Burnett moved to amend section 4, of said substitute, as follows, viz:

Amend by striking out all of said section after the second word, "for," in the sixteenth line.

And the question being taken thereon, it was decided in the affirmative.

Mr. Cravens moved to amend article 9 as follows, viz:

Amend article 9 by striking out "fifteen per cent.," wherever it occurs in said article, and by striking out of section 16, of said article, all after the word "any" in the sixteenth line, and by striking out the whole of the seventeenth section.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the substitute, as amended, proposed by Mr. Wallace for article 9, and it was decided in the affirmative.

Article 1 was then taken up for consideration.

Mr. Price moved the following amendment to section 1 of said article 1, viz:

Amend by striking out the second, third, fourth and fifth lines to and including the word "assessed," in section 1, and inserting in lieu thereof the following: "The Governor, Auditor and Treasurer shall fix the rate of taxation, which rate shall not exceed the necessary expenses of the State."

Mr. Clay moved to amend said section 1, of article 1, as follows, viz:

Strike out the words "forty-seven cents," in line 2, and insert "forty-four cents" in lieu thereof.

Mr. Hill moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Hill, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Bush,	S. E. Hill,	F. D. Rigney,
W. J. Caudill,	H. T. Kendall,	J. T. Simon,
F. M. Clement,	L. M. Martin,	D. H. Smith,
Henry Dixon,	J. H. McDanell,	J. R. W. Smith,
W. H. Frederick,	L. W. McKee,	E. R. Sparks,
G. G. Gilbert,	W. F. Neat,	E. L. Worthington,
T. S. Grundy,	J. W. Ogilvie,	W. H. Taulbee—22.
R. G. Hays,		

Those who voted in the negative, were—

R. A. Burnett,	R. S. Triplett,	J. H. Wilson—5.
J. N. Price,	Robert Walker,	

The question was then taken on the adoption of the amendment proposed by Mr. Price to said section 1, article 1, and it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Clay, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Caudill and Grundy, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	W. M. Cravens,	D. H. Smith,
W. W. Bush,	T. S. Grundy,	E. R. Sparks,
A. R. Byers,	J. H. McDanell,	Robert Walker,
C. M. Clay, Jr.,	W. F. Neat,	E. L. Worthington,
F. M. Clement,	J. N. Price,	J. H. Wilson—15.

Those who voted in the negative, were—

J. W. Bryan,	S. E. Hill,	F. D. Rigney,
W. J. Caudill,	H. T. Kendall,	J. T. Simon,
Henry Dixon,	L. M. Martin,	W. H. Taulbee,
W. H. Frederick,	L. W. McKee,	R. S. Triplett—14.
G. G. Gilbert,	J. W. Ogilvie,	

Mr. Burnett moved to reconsider the vote by which the Senate adopted said amendment.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gilbert and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	R. G. Hays,	D. H. Smith,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
W J. Caudill,	L. W. McKee,	E. R. Sparks,
F. M. Clement,	J. W. Ogilvie,	W. H. Taulbee,
Henry Dixon,	F. D. Rigney,	E. L. Worthington,
G. G. Gilbert,	J. T. Simon,	R. S. Triplett—18.

Those who voted in the negative, were—

A. S. Berry,	W. H. Frederick,	W. F. Neat,
W. W. Bush,	T. S. Grundy,	J. N. Price,
A. R. Byers,	H. T. Kendall,	Robert Walker,
C. M. Clay, Jr.,	L. M. Martin,	J. H. Wilson—14.
W. M. Cravens,	J. H. McDanell,	

Resolved, That the title of said bill be as aforesaid.

Mr. J. R. W. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Bryan moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	R. G. Hays,	J. R. W. Smith,
J. W. Bryan,	S. E. Hill,	E. R. Sparks,
W. J. Caudill,	L. W. McKee,	W. H. Taulbee,
F. M. Clement,	J. W. Ogilvie,	E. L. Worthington,
Henry Dixon,	F. D. Rigney,	R. S. Triplett—17.
G. G. Gilbert,	J. T. Simon,	

Those who voted in the negative, were—

R. A. Burnett,	W. H. Frederick,	W. F. Neat,
W. W. Bush,	T. S. Grundy,	J. N. Price,
A. R. Byers,	H. T. Kendall,	Robert Walker,
C. M. Clay, Jr.,	L. M. Martin,	J. H. Wilson—14.
W. M. Cravens,	J. H. McDanell,	

Mr. Hays moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and J. R. W. Smith, were as follows, viz:

In the affirmative—R. G. Hays—1.

Those who voted in the negative, were—

A. S. Berry,	G. G. Gilbert,	F. D. Rigney,
J. W. Bryan,	T. S. Grundy,	J. T. Simon,
R. A. Burnett,	S. E. Hill,	D. H. Smith,
W. W. Bush,	H. T. Kendall,	E. R. Sparks,
A. R. Byers,	L. M. Martin,	W. H. Taulbee,
W. J. Caudill,	J. H. McDanell,	R. S. Triplett,
F. M. Clement,	L. W. McKee,	Robert Walker,
Henry Dixon,	W. F. Neat,	E. L. Worthington,
W. H. Frederick,	J. W. Ogilvie,	J. H. Wilson—27.

On motion of Mr. Price, the Senate then adjourned until 4 o'clock P. M.

The Senate met pursuant to adjournment.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act for the benefit of E. H. Mottley, of Warren county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, At a late term of the Warren Circuit Court, one F.M. Ramsey, who was at that time acting as Special Bailiff in the employ of R. H. Crittenden, United States Marshal for the State of Kentucky, was indicted by the grand jury of Warren county, charging him therein with the murder of one Joseph Lightfoot, in Warren County; and whereas, a bench-warrant by order of the court, was issued and placed in the hands of E. H. Mottley, the then Sheriff of Warren county, and was by him executed by arresting said Ramsey; and whereas, while said Ramsey was in confinement under said arrest and bench-warrant, the Hon. Bland Ballard, Judge of the Circuit Court of the United States for the district of Kentucky, upon the petition of said Ramsey, caused a writ of *habeas corpus* to issue upon which the body of said Ramsey was taken from the said E. H. Mottley, Sheriff, and carried before the said United States Court, and was by said court released from custody, Ramsey claiming that inasmuch as he was an officer of said United States Court, and was acting within the line and scope of his duties as United States Bailiff when he killed Lightfoot, that he was only amenable to the United States Court, and that a State court had no jurisdiction of him. Said Ramsey, being released from custody by said court, came again into Warren county, and the Judge of the Warren Circuit Court ordered another bench-warrant to issue upon said indictment which bench-warrant was placed in the hands of said E. H. Mottley, and was by him executed by again arresting said Ramsey, and said Ramsey again making his petition to the said United States Court, was by that court again released from custody, and the costs in the said United States Court amounting to the sum of $186.68 was adjudged against the said Sheriff of Warren, the said E. H. Mottley personally, and execution was issued thereon for the above sum against said Mottley personally; now therefore,

§ 1. *Be it enacted by the General Assembly of the Common-*

wealth of Kentucky, That the Auditor of Public Accounts for the State of Kentucky be, and he is hereby, directed, out of any money in the Treasury not otherwise appropriated, to draw his warrant upon the Treasurer of the State for the sum of $186.68 for the benefit of E. H. Mottley, late Sheriff of Warren county.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	F. D. Rigney,
A. S. Berry,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	R. G. Hays,	D. H. Smith,
W. W. Bush,	S. E. Hill,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	E. R. Sparks,
C. M. Clay, Jr.,	L. M. Martin.	W. H. Taulbee,
F. M. Clement,	L. W. McKee,	R. S. Triplett,
W. M. Cravens,	W. F. Neat,	Robert Walker,
Henry Dixon,	J. W. Ogilvie,	E. L. Worthington,
W. H. Frederick,	J. N. Price,	J. H. Wilson—30.

In the negative—W. J. Caudill—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Triplett read and laid on the table a joint resolution, entitled

Resolution for the benefit of C. J. Norwood, Inspector of Mines.

The rule of the Senate requiring said resolution to lie over one day being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor be, and is hereby, directed to draw his warrant on the Treasury for the sum of twenty-one dollars and seventy cents ($21.70) in favor of C. J. Norwood, to re-imburse him for money paid out by him for printing and binding of three hundred (300) copies of the reports of the Inspector of Mines for the year 1884 and 1885, additional to the number (200) ordered by the Governor.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

A message was received from the House of Representatives announcing that they had passed a bill, entitled

An act to amend section 21 of the Code of Practice in criminal cases.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 21, of the Code of Practice in criminal cases, be amended by adding to said section the following: But all prosecutions against persons publishing a newspaper, for any libelous matter contained therein, shall be had in the county where the same is printed and issued, or in the county where the party complaining resides.

§ 2. This act to take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the motion heretofore entered by Mr. Kendall to reconsider the vote by which the Senate had passed a bill, entitled

An act to incorporate the Jefferson Natural Gas Company.

Mr. Frederick moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Bryan, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act relating to the partition of land,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That where land is held under deed or will vesting a life estate in two or more persons, or in trust for their benefit, with remainder as to the shares of each to his or her children or descendants, it shall be lawful for a court of equity, on the petition of one of such life tenants and his or her children or descendants who would then be entitled to such remainder, all persons having interest in such lands being made parties, to partition such land so as to set apart to such life tenants and children or descendants so much of said land to which they shall be entitled in severalty, and to that alone shall attach the title or interest of after born children or descendants in whom, by the terms of said deed or will, such remainder would vest.

§ 2. Where part of the land so held shall be situated in this State, and part in another State, the court may in making partition take into consideration the value of all of said land, and set apart to those resident in this State land in this State equal to their full share of all of said land, securing by proper deeds and orders to the non-residents release of the interest of such residents in the lands in the other State and territory.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grundy and Clay, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	S. E. Hill,	F. D. Rigney,
J. W. Bryan,	H. T. Kendall,	J. T. Simon,
A. R. Byers,	L. M. Martin,	D. H. Smith,
W. M. Cravens,	J. H. McDanell,	J. R. W. Smith,
W. H. Frederick,	L. W. McKee,	E. L. Worthington,
T. S. Grundy,	J. N. Price,	E. R. Sparks—18.

Those who voted in the negative, were—

R. A. Burnett,	Henry Dixon,	W. H. Taulbee,
W. W. Bush,	G. G. Gilbert,	R. S. Triplett,
W. J. Caudill,	R. G. Hays,	Robert Walker,
C. M. Clay, Jr.,	W. F. Neat,	J. H. Wilson—14.
F. M. Clement,	J. W. Ogilvie,	

Resolved, That the title of said bill be as aforesaid.

Mr. McDanell, from the Committee on Appropriations, to

whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Alex. G. Morgan, of Fayette county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of five hundred and fifteen dollars ($515.00) be, and the same is hereby, appropriated to Alexander G. Morgan, of Lexington, Kentucky, out of any moneys in the Treasury not otherwise appropriated, to compensate him for the medical and other expenses by him incurred by reason of wound received while in the military services of the State, under the orders of the Sheriff of the county of Fayette, for the suppression of an apprehended outbreak against the lawful authority of the civil officers of said county.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, for want of a constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. M. Cravens,	L. W. McKee,
A. S. Berry,	Henry Dixon,	J. T. Simon,
J. W. Bryan,	W. H. Frederick,	J. R. W. Smith,
W. W. Bush,	R. G. Hays,	R. S. Triplett,
A. R. Byers,	S. E. Hill,	Robert Walker—17.
C. M. Clay, Jr.,	J. H. McDanell,	

Those who voted in the negative, were—

R. A. Burnett,	F. D. Rigney,	W. H. Taulbee,
G. G. Gilbert,	D. H. Smith,	E. L. Worthington,
J. W. Ogilvie,	E. R. Sparks,	J. H. Wilson—10.
J. N. Price,		

So said bill was disagreed to.

Mr. Worthington moved to reconsider the vote by which the Senate had disagreed to said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
A. S. Berry,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	R. G. Hays,	J. R. W. Smith,
W. W. Bush,	S. E. Hill,	E. R. Sparks,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
C. M. Clay, Jr.,	L. M. Martin,	R. S. Triplett,
W. M. Cravens,	J. H. McDanell,	E. L. Worthington,
Henry Dixon,	L. W. McKee,	Robert Walker—26.
W. H. Frederick,	W. F. Neat,	

Those who voted in the negative, were—

R. A. Burnett,	F. M. Clement,	D. H. Smith,
A. R. Byers,	J. W. Ogilvie,	J. H. Wilson—6.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration an amendment adopted by the House of Representatives, entitled

An act to better protect turnpike roads in which the State is interested.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Hill, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to repeal an act, entitled "An act to authorize and empower the county of Muhlenberg to compromise and fund its outstanding indebtedness," approved March 18, 1878, and all acts amendatory thereto,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous and malt liquors in Breckinridge county;

An act for the benefit of George H. Marshall, of Union county;

An act to incorporate the Pewee Valley and Floyd's Fork Turnpike Road;

An act to amend an act, entitled "An act to incorporate the Bradford and Lennoxburg Turnpike Road Company," and authorize the levying of a tax to keep said road in repair;

An act to authorize J. D. Atchison, Judge of the Daviess County Court, to sign certain orders of said court;

An act to authorize the town of Danville to raise money to aid in the construction of railroads;

An act providing for the redistricting of Knott county into common school districts;

A bill for the benefit of the Millersburg Cemetery Company, incorporated by an act approved February 28, 1860;

An act relating to the publication of the charter and ordinances of the city of Louisville;

And enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend section 334, of the Civil Code;

An act for the benefit of W. B. Foster, Charles Foster and S. L. Foster;

An act for the benefit of James Williams, of Cumberland county;

An act directing the State Librarian to have water from the Frankfort water-works turned into the fountain in Capitol Square, and authorizing her to continue the use of same;

An act to incorporate the Madison and South-eastern Railway Company;

An act to amend the charter of the Jellico Mineral and Lumber Company, organized under the fifty-sixth chapter of the General Statutes;

An act to amend the charter of the Maysville Gas Company;

An act to incorporate the Washington County Banking Company;

An act regulating the advertisement of Master Commissioner's sales made under judgments of the Ohio Circuit Court in certain cases;

An act for the benefit of W. C. Woodsworth as guardian of Edward Paxton;

An act to amend an act, entitled "An act to incorporate the Cumberland River Railway Company;"

An act, entitled "An act to amend the charter of the Bank of Louisville;"

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

The Senate took up for consideration the unfinished business of yesterday, the same being a bill which originated in the House of Representatives, entitled

An act for the continuation of the Geological Survey.

Mr. McKee moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday, May 13th, at 10:15 o'clock.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Berry, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	S. E. Hill,	F. D. Rigney,
R. A. Burnett,	H. T. Kendall,	D. H. Smith,
A. R. Byers,	L. M. Martin,	J. R. W. Smith,
C. M. Clay, Jr.,	J. H. McDanell,	W. H. Taulbee,
F. M. Clement,	W. F. Neat,	Robert Walker,
W. M. Cravens,	J. W. Ogilvie,	E. L. Worthington,
W. H. Frederick,	J. N. Price,	J. H. Wilson—22.
R. G. Hays,		

Those who voted in the negative, were—

J. W. Bryan,	G. G. Gilbert,	J. T. Simon,
W. W. Bush,	T. S. Grundy,	E. R. Sparks,
W. J. Caudill,	L. W. McKee,	R. S. Triplett—10.
Henry Dixon,		

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Gilbert, from the Committee on the Judiciary—

An act to incorporate the Harrisonville and Graffensburg Turnpike Company, in Shelby county.

By Mr. Wilson, from the Committee on Fish Culture—

An act to repeal an act, entitled "An act for the protection and propagation of food-fishes in the waters of Kentucky," approved March 20, 1876, so far as said act applies to the counties of Adair, Green, Metcalfe and Henry.

By Mr. Alford, from the Committee on Railroads—

An act to incorporate the City Passenger Railway Company.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to incorporate the German Catholic Casino Association of St. Martin's Congregation, of Louisville, Kentucky.

By Mr. Burnett, from the Committee on General Statutes—

An act to regulate official advertising in Jefferson county.

By Mr. Grundy, from the Committee on Agriculture and Manufactures—

An act to incorporate the Boston and Antioch Turnpike Company.

By Mr. Bryan, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to amend the Revenue Laws," approved April 22, 1882.

By Mr. Clement, from the Committee on Privileges and Elections—

An act to change the voting place in District No. —, known as Fork's District, in Estill county.

By Mr. Hill, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to revise and amend

the charter of the city of Bowling Green," approved January 2, 1882.

By Mr. Rigney, from the Committee on Military Affairs—

An act to incorporate the Gudgell and McClure Turnpike Road Company, in Anderson county.

By Mr. Simon, from the Committee on Codes of Practice—

An act to amend chapter 2, title 9, of the Civil Code of Practice, by repealing certain portions thereof.

By Mr. D. H. Smith, from the Committee on Fish Culture—

An act to repeal all acts making it unlawful to seine and trap fish in the county of Larue and the county of Calloway.

By Mr. Price, from the Committee on Claims—

An act for the benefit of Robert B. Batte, of Henderson county.

By same—

An act for the benefit of Joseph Crabtree, of Daviess county.

By same—

An act for the benefit of John J. Smiley, of Pulaski county.

By same—

An act for the benefit of W. L. Pullen, Marshal of the city of Clinton.

By Mr. Worthington, from the Committee on the Judiciary—

An act to amend an act to incorporate the Murphysville Turnpike Road Company, of Mason county.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to incorporate the Fourth Avenue Park Railway Company.

By Mr. Hill, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870.

By Mr. Berry, from the Committee on Education—

An act to incorporate the Home School for Girls, in the city of Henderson.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Worthington moved that the Senate no now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Clay moved that the session of the Senate be extended until the call of the Senators was completed.

And the question being taken thereon, it was decided in the affirmative.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Cravens, from the Committee on Codes of Practice—

A bill to amend section 475, of the Civil Code of Practice.

By Mr. Burnett, from the Committee on General Statutes—

A bill to establish an additional magisterial district in Grayson county.

By Mr. Clement, from the Committee on Privileges and Elections—

A bill to prohibit the sale of intoxicating liquors in Caldwell county, and providing for a vote on same.

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill to amend chapter 740, of Session Acts of 1879–80.

By Mr. Kendall, from the Committee on General Statutes—

A bill to amend section 2, of an act, entitled "An act to amend an act to repeal the charter and re-incorporate the town of Elizabethtown," approved February 26, 1868.

By Mr. McKee, from the Committee on Military Affairs—

A bill to incorporate the Anderson and Franklin Turnpike Company.

By Mr. Worthington, from the Committee on Propositions and Grievances—

A bill to amend the charter of the city of Maysville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. McKee—

1. A bill to amend an act incorporating the town of Orr, Anderson county, Ky.

On motion of Mr. Rigney—

2. A bill to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, within four miles of Mt. Olive Church, in Casey county.

On motion of Mr. Gilbert—

3. A bill to incorporate the Fairview Cemetery Company.

On motion of Mr. Berry—

4. A bill for the promotion of literature and education in Kentucky.

On motion of Mr. J. R. W. Smith—

5. A bill to change the time of holding Circuit Courts in the Ninth Judicial Circuit, in September.

Ordered, That the Committee on General Statutes prepare and bring in the 1st; the Committee on Religion and Morals the 2d; the Committee on Internal Improvements the 3d; the Committee on Education the 4th; and the Committee on Public Expenditures the 5th.

On motion of Mr. Cravens, the Senate then adjourned.

THURSDAY, MAY 13, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives announcing that they had concurred in amendments adopted by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Charleston, Kentucky and Western Railway Company.

An act to incorporate the Consumer's Gas-light Company, of Covington.

An act to prohibit the sale of spirituous, vinous or malt liquors in Breckinridge county.

That they had disagreed to bills which originated in the Senate, entitled

An act to amend section 7, article 2, chapter 69, of the General Statutes.

An act to amend section 28, Criminal Code of Practice.

That they had concurred in an amendment adopted by the Senate to an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act incorporating the Louisville Natural Gas and Heating Company.

That they had passed bills which originated in the Senate of the following titles, viz:

An act to prohibit the sale of intoxicating liquors in Caldwell county, and to provide for a vote on same.

An act to authorize the improvement of an extension of East Broadway street, in Jefferson county.

An act to amend an act, entitled "An act to amend article 6, chapter 62, of the General Statutes," approved May 6, 1880.

An act to regulate the time of holding Circuit Court in the counties of the Fifteenth Judicial District.

An act, entitled "An act to prevent distillers from emptying their slops and offal into Hickman creek, in Jessamine county," approved May 1, 1886.

An act to amend chapter 29, General Statutes.

An act to amend an act, entitled "An act to provide for re-

building the State bridge at Rio, on Green river, in Hart county," approved May 12, 1884.

With amendments to the last-named bills.

That they had passed bills of the following titles, viz:

1. An act for the benefit of Wm. F. McIntosh, of Estill county.

2. An act amending an act to incorporate the Nashville Coal Company, in Pulaski county, approved May 12, 1884.

3. An act for the benefit of the graduates of the high schools of Dixon, Slaughtersville and Providence, in Webster county.

4. An act to incorporate the Cumberland Gap and Eastern Kentucky Railway Company.

5. An act to reduce the number and define the boundaries of the Justices' districts in Shelby county.

6. An act in relation to fines and forfeitures in this Commonwealth.

7. An act to amend the charter of the Independence and Colemansville Turnpike Road Company.

8. An act to create the Covington police district, in Kenton county, and to provide for the government thereof.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 2d to the Committee on General Statutes; the 3d to the Committee on Education; the 4th to the Committee on Railroads, and the 5th, 6th and 8th to the Committee on the Judiciary,

And the 1st and 7th named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Boles presented the minority report of the joint committee appointed to investigate the expenditures of moneys appropriated in aid of the Kentucky exhibits at the New Orleans and Louisville Expositions, also the expenditure of

moneys appropriated for the continuation of the Geological Survey and Bureau of Immigration.

Said report was taken up and read as follows, viz:

To the General Assembly of the Commonwealth of Kentucky:

The undersigned member of the joint committee of the two Houses of this General Assembly, appointed to investigate the book of accounts of State Geologist, John R. Procter, and to report to this General Assembly the result of such investigation, and to ascertain, and by their report say whether all of the appropriation made to the Geological, Topographical and Agricultural Surveys of the State and the Bureau of Immigration, under the direction of the State Geologist, John R. Procter, has been consumed, and, if so, how, in what manner, and for what purposes, finds himself unable to agree to the report made by the majority of the committee, and begs leave to submit the following minority report:

The law under which the appropriation of $34,200 was made requires the State Geologist to keep in his office an account of all moneys paid out of his department in a book kept for that purpose, which shall be at all times open to inspection by members of the General Assembly.

To investigate and examine this book and report the facts found to exist upon its face was the sole duty of your committee, and the large volume of testimony taken by the committee has no bearing whatever upon the question assigned your committee for investigation.

As chairman of the Joint Investigation Committee, the undersigned feels it due to himself to say that he was absent from the General Assembly when and while the greater part of that testimony was taken, upon an examination of that book. It fails to show how the money was expended; it fails to show what part thereof was expended upon the geological investigation of the State, including the salaries of the State Geologist and his assistants and their expenses; it fails to furnish or show what part thereof was expended upon the Topographical Survey, and the work on the State maps; it fails to show what part thereof was expended for the continuation of the chemical analyses of

soils, clays, coal, iron ores and other substances collected by the Geological Survey; it fails to show what part thereof was expended in the practical testing of coke, coal, clays, etc.; it fails to show what part thereof was expended in or for the office expenses of the Survey, and for the collection and preservation of specimens for the State cabinet; it fails to show what part of said fund was expended for the expenses of the Bureau of Immigration, the pay of assistants and agents and their necessary traveling expenses, and for the carrying out the objects of the Bureau of Immigration.

The only showing appearing upon the face of that book is what purports to be the number of warrants with the amount of money called for therein drawn by the Auditor on the Treasurer, and these when summed up show a few hundred dollars of the whole sum appropriated yet unexpended. This includes the whole duty assigned the committee, and when performed, this member of your committee finds himself wholly unable to respond to the inquiries submitted to the committee, and can not report to this body how and in what manner that large sum of money appropriated for the purposes indicated in the law making the appropriation has been expended. The undersigned feels constrained to say and report that the State Geologist, John R. Proctor, has failed to comply with the law requiring him to keep in his office the book of accounts showing how and in what manner the funds appropriated for the continuation of the Geological, Topographical and Agricultural Surveys of the State and the Bureau of Immigration have been expended. When it is known that your State Geologist, very strangely and unusually, is not required to execute any bond for the faithful application of the large sums of money appropriated from time to time for the continuation of these surveys, then the necessity for the Geologist keeping in his office this book of accounts, showing how and in what manner the money has been expended, becomes more manifest. The State under former appropriations has been compelled to rely wholly upon the integrity of her Geologist in expending this money. She, to secure a faithful application of the fund, required the Geologist to keep in his office a book of accounts showing its disbursement, open at all times to the inspection of members of the General Assembly; that book of accounts

the State Geologist has failed to keep. Here the labors of your committee found an end, but as the majority of your committee failed to find in that book the data upon which to base a report responsive to the requirements of the resolution raising the committee and turned to the vouchers in the Auditor's Office upon which he had drawn his warrants, the undersigned likewise sought the same light but is constrained to say that this source of information involves him in as great if not greater uncertainty as to how or in what manner the money of the State had been expended. These vouchers show nothing beyond the fact that so much of the State's money has been consumed, but how, in what manner, or for what purpose, the vouchers fail to show.

The committee have no warrant or authority to make any other investigation, but as the majority has seen proper to obtrude themselves into the side quarrel of the Geologist, Procter, and J. Fry Lawrence, one of the Commissioners appointed by the Governor to the Southern Exposition at Louisville, and the Exposition at New Orleans, and have taken two hundred pages of testimony bearing upon that interesting quarrel, the undersigned will ask the indulgence of this General Assembly while he offers a few thoughts as to what the investigation has developed upon this interesting question.

In May, 1884, your General Assembly appropriated the sum of $12,500 to aid, in the language of the law, in the development of the agricultural and mineral resources of the State by an exhibition of its resources at the Southern Exposition, at Louisville, Kentucky, during the year 1884, and at the World's Industrial and Cotton Centennial Exposition, at New Orleans, Louisiana, in 1884 and 1885. Not exceeding $10,000 of said sum was to be used and expended in the collection and exhibition of the agricultural and mineral products and cattle and other stock of the State of Kentucky at said Exposition at Louisville, Kentucky, and not exceeding $2,500 of said sum was to be used in transferring to and exhibiting at New Orleans, Louisiana, such part thereof as will best promote the development of the resources of this State. (See Session Acts, 1883 and 1884, second volume, page 1002.) A Board of Commissioners was created by said act, consisting of the State Geologist, John R. Procter (the chairman of said Board), the

Commissioner of Agriculture. John F. Davis, and three persons appointed by the Governor and ratified by the Senate. The appointees were J. Fry Lawrence, S. M. Burdett, of Garrard, and Willis L. Reeves, of Todd county, Kentucky. The latter two gentlemen, however, failed to act or take any part whatever in the disposition and management of said fund and collecting and maintaining an exhibit at the two Expositions, and are in nowise responsible for the failure (if failure there be) in the proper management of said funds.

The law making this appropriation required said Board of Commissioners to keep a record of the sums for which it might issue certificates for sums of money, to whom issued and on what account, and that they should make report thereof to this General Assembly. That record they failed to keep, and they have failed to this day to make report thereof to this General Assembly, and in this they were each and all guilty of not a technical but a plain, old-fashioned violation of the law.

If now asked what became of that money the undersigned would say in that trite and well-worn expression, so far as the State is concerned, it has gone where the "wood-bine twineth." The fund donated by this State was supplemented by $500 furnished Procter, in payment of demands incurred by him, by the State Commissioner, George Perkins, out of funds donated by the general government. Procter has on file in Auditor's office claims amounting to $42,465.04, leaving yet unexpended, according to the proof taken by the committee, $534.96, and not $34.96. The law expressly provided in its terms that the certificates for money issued should under no state of case exceed the sum of $12,500, yet Procter in his testimony admits that there are still outstanding liabilities incurred by him to at least the amount of $2,500, thus making the liabilities on account of these exhibitions reach the sum of $15,000. Although the others claim that their excessive liabilities were incurred by Procter, yet there can be no question that if the record required by law to be kept had been kept, these liabilities in excess of the appropriation would not and could not have occurred without knowledge on the part of the Commissioners.

Procter says he went beyond the appropriation because he had reason to believe that he would realize more of the $5,000 in

the hands of the United States Commissioner; the proof taken by the committee fails to sustain him in this position. The Commissioners who did act were guilty of not a technical but a gross, palpable, old-fashioned violation of the law, in not permitting the use of any of the funds appropriated to be applied to the exhibition of the stock of Kentucky at said Exposition at Louisville. Instead thereof nearly or quite $4,000 of the fund was applied to the photographing of men and women and the cattle and horses and farms and farm-houses of such privates as made application for it, and thus one of the main objects of the appropriation was defeated — the exhibition of Kentucky's fine cattle and horses and other stock in native form. For this departure from the objects and purposes of the appropriation some of the Commissioners attempt to hold Procter solely responsible and say that he, with a high hand, usurped the authority and forbade their interference. He had no such power and they should not have permitted it, and the undersigned feels constrained to say that they are all responsible alike for it.

By a careful inspection of the report of the Auditor, made in response to resolution of this General Assembly as to the disbursement of this fund, it will be seen that nearly all this appropriation went into the hands of a few persons: one person, under the two names of C. K. Ballard and C. K. Ballard Thursten, receiving nearly $2,000. He is and was then an attache of the Geological Survey. Others received as high as $1,000, and two of the Commissioners themselves, Lawrence and Procter, made heavy drafts on the fund, while the Commissioner of Agriculture was much more modest in his demands. It will be observed that the reports filed by Lawrence and Procter (Davis filing none) fail to respond to resolution of the General Assembly calling for information as to how this appropriation was consumed, and the undersigned, differing with the majority of the committee, can not see the propriety of entering into the feud between Lawrence and Procter, arising out of the disbursement of the State's donation to these funds, and thinks, perhaps, such an investigation would not only be unpleasant but unprofitable.

S. H. BOLES.

Mr. Burnett moved that said report, together with the majority report of said committee, and a bill from the House of Representatives, entitled

An act for the continuation of the Geological Survey,

Be referred to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wallace and Rigney, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. M. Cravens,	J. N. Price,
S. H. Boles,	W. H. Frederick,	F. D. Rigney,
R. A. Burnett,	R. G. Hays,	D. H. Smith,
W. W. Bush,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	W. F. Neat,	W. H. Taulbee.
F. M. Clement,	J. W. Ogilvie,	Robert Walker—18.

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	E. R. Sparks,
J. W. Bryan,	S. E. Hill,	R. S. Triplett,
W. J. Caudill,	L. M. Martin,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. H. McDanell,	E. L. Worthington,
Henry Dixon,	L. W. McKee,	J. H Wilson—16.
G. G. Gilbert,		

The Senate took up for consideration the motion heretofore entered by Mr. D. H. Smith to reconsider the vote by which the Senate had rejected a bill, entitled

An act for the benefit of E. H. Taylor, of Franklin county.

[*For bill, see Senate Journal, May 7th.*]

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, A. S. Berry, J. W. Bryan, W. W. Bush, C. M. Clay, Jr., F. M. Clement, Henry Dixon, W. H. Frederick, G. G. Gilbert, T. S. Grundy, R. G. Hays, S. E. Hill, H. T. Kendall, J. H. McDanell, L. W. McKee, J. W. Ogilvie, J. N. Price, J. R. W. Smith, E. R. Sparks, W. H. Taulbee, Robert Walker, E. L. Worthington, F. T. D. Wallace—23.

Those who voted in the negative, were—

A. R. Byers, W. F. Neat, R. S. Triplett, J. H. Wilson—4.

Resolved, That the title of said bill be as aforesaid.

Mr. Clay moved to reconsider the vote by which the Senate had passed said bill.

Mr. Worthington moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to authorize the city of Lexington to issue bonds to the amount of $30,000 for school purposes, and levy an additional tax for the payment of same.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act releasing Kelly Hogg, of Letcher county, of the interest in six bonds executed by him to D. Howard Smith for the use of the Commonwealth of Kentucky on the fifth day of May, 1879,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to establish a road district in Jefferson county," approved May 12, 1884.

On motion of Mr. Frederick,

Ordered, That said bill and amendment be recommitted to the Committee on Agriculture and Manufactures.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to incorporate the town of South Louisville, in Jefferson county.

The question pending being on the adoption of the amendment heretofore proposed by Mr. Hays to said bill.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

An act to amend an act, entitled "An act to define the duties and fix the compensation of the Public Printer and Binder," approved March 11, 1878.

Mr. Triplett moved an amendment as a substitute therefor.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to regulate the cost of record books and necessary blank books for which payment is made out of the State Treasury.

The Senate, according to order, took up for consideration a bill, entitled

An act regulating the transportation of coal by railroad corporations in this Commonwealth.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all charges or receipts for the transportation of coal by railroad corporations in this Commonwealth shall be according to the following schedule of maximum rates and distances on each ton hauled, and in the same proportion for each fraction over a ton that the fraction bears to one ton:

DISTANCE IN MILES.	DOLLARS AND CENTS PER TON.
5 miles and under	$0 55
10 miles and over 5	60
15 miles and over 10	65
20 miles and over 15	70
25 miles and over 20	72
30 miles and over 25	75
35 miles and over 30	77
40 miles and over 35	80
45 miles and over 40	85
50 miles and over 45	87
55 miles and over 50	90
60 miles and over 55	92
70 miles and over 60	95
80 miles and over 70	1 00
90 miles and over 80	1 02
100 miles and over 90	1 20
120 miles and over 100	1 25
130 miles and over 120	1 30
140 miles and over 130	1 35
150 miles and over 140	1 40
175 miles and over 150	1 50
200 miles and over 175	1 60
225 miles and over 200	1 70
250 miles and over 225	1 80
275 miles and over 250	1 90
300 miles and over 275	2 00
350 miles and over 300	2 10
400 miles and over 350	2 25
450 miles and over 400	2 35
500 miles and over 450	2 50

§ 2. If any railroad corporation, person or receiver, operating a railroad, in whole or in part, in this Commonwealth, shall charge or receive for the transportation of coal to any station or point on its road, or the road of another, a greater sum than

that fixed in the foregoing schedule of rates, shall be deemed guilty of a misdemeanor, and for each offense, shall, on indictment and conviction, be fined in the sum of one hundred and fifty dollars.

§ 3. The said corporations may charge or receive a less sum for the transportation of coal than that fixed in the schedule in section 1 of this act, but shall not charge a greater sum than is therein fixed.

§ 4. All laws and parts of laws and all provisions in railroad charters in conflict with this act are hereby repealed.

§ 5. This act shall take effect sixty days from and after its passage.

Mr. Wallace moved to strike out the enacting clause of said bill.

Mr. Caudill moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Wallace to strike out the enacting clause, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

Henry Dixon, J. R. W. Smith—2.

Those who voted in the negative, were—

S. H. Boles,	W. H. Frederick,	J. N. Price,
J. W. Bryan,	R. G. Hays,	F. D. Rigney,
W. W. Bush,	S. E. Hill,	D. H. Smith,
W. J. Caudill,	H. T. Kendall,	E. R. Sparks,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
F. M. Clement,	J. H. McDanell,	R. S. Triplett,
W. M. Cravens,	W. F. Neat,	J. H. Wilson—23.
John Feland,	J. W. Ogilvie,	

Mr. Feland had heretofore proposed an amendment as a substitute for said bill, which reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all traffic offered for shipment to any railroad company or other common carrier within this Commonwealth shall be shipped and forwarded to its destination

without unreasonable delay, and as nearly as practicable in the order of its delivery to the proper agent of such common carrier.

§ 2. That all such common carriers and all their officers, agents and employes, and each of them, shall, so far as their duty and responsibility lie, be responsible personally and officially for the prompt shipment and delivery of all such traffic offered; and that the rates charged shall be just and equitable; for the prompt movement of trains and other vehicles of transportation, and for the protection and safety of all such traffic, and any person or corporation, or officer, agent or employe of either, who shall desert such traffic *en route*, or refuse to accept and take it through to its destination, shall be guilty of a misdemeanor, and, upon indictment, shall be subject to a fine of not exceeding $250 for each offense, and, in addition, shall be liable to the person injured for both actual and exemplary damage.

§ 3. That extortionate charges and unjust and unmeasurable discriminations, by rebate or otherwise, on the part of any such common carrier against individuals or localities, are absolutely prohibited, and if this section shall be violated in any particular, any person or persons aggrieved may file a statement of such grievance with the Commonwealth's Attorney of the district where the act complained of is committed, who shall investigate the case, and if, in his opinion, there is reasonable ground for complaint, that injustice has been done and that the law has been violated, and if the carrier shall, on his request or demand, refuse or fail to make proper reparation, it shall be his duty to bring a suit in the name of the Commonwealth of Kentucky, in the Circuit Court of the county where such complaint is made, against the carrier for the violation of the provisions of this act complained of, and to prevent and restrain any continuance of any such violation, and for the actual and exemplary damage to the party injured, which suit shall have precedence over other civil actions on the docket, and for his compensation in bringing and prosecuting such suit the Commonwealth's Attorney shall be entitled to twenty-five per cent. of the damage recovered.

§ 4. This act shall take effect from its passage.

The question was then taken on the adoption of said amendment proposed as a substitute for said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Triplett and Grundy, were as follows, viz:

Those who voted in the affirmative, were—

Henry Dixon,	R. G. Hays,	E. R. Sparks,
John Feland,	S. E. Hill,	R. S. Triplett,
W. H. Frederick,	H. T. Kendall,	F. T. D. Wallace,
T. S. Grundy,	J. R. W. Smith,	J. H. Wilson—12.

Those who voted in the negative, were—

S. H. Boles,	W. M. Cravens,	J. W. Ogilvie,
J. W. Bryan,	L. M. Martin,	J. N. Price,
C. M. Clay, Jr.,	J. H. McDanell,	F. D. Rigney,
F. M. Clement,	W. F. Neat,	W. H. Taulbee—12.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wallace and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	S. E. Hill,	J. N. Price,
J. W. Bryan,	H. T. Kendall,	F. D. Rigney,
C. M. Clay, Jr.,	L. M. Martin,	D. H. Smith,
F. M. Clement,	J. H. McDanell,	Robert Walker,
W. M. Cravens,	W. F. Neat,	J. H. Wilson—15.

Those who voted in the negative, were—

W. W. Bush,	T. S. Grundy,	E. R. Sparks,
Henry Dixon,	R. G. Hays,	W. H. Taulbee,
W. H. Frederick,	J. R. W. Smith,	R. S. Triplett—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Cravens moved to reconsider the vote by which the Senate had passed said bill.

Mr. Clement moved to lay said motion on the table.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Feland and Frederick, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. M. Cravens,	J. N. Price,
J. W. Bryan,	S. E. Hill,	F. D. Rigney,
C. M. Clay, Jr.,	L. M. Martin,	D. H. Smith—11.
F. M. Clement,	W. F. Neat,	

Those who voted in the negative, were—

W. H. Frederick, E. R. Sparks, J. H. Wilson—3.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Bryan, from the Committee on the Judiciary—

A bill to incorporate the Covington Short Route Transfer Railway Company.

By Mr. Bush, from the same committee—

A bill exempting all persons over sixty years of age residing in Simpson county from the payment of poll-tax.

By Mr. Wilson, from the Committee on General Statutes—

A bill to regulate the time of holding Circuit Court in the counties of the Fifteenth Judicial District.

By Mr. Sparks, from the Committee on Immigration and Labor—

A bill, entitled "An act to prevent distillers from emptying their slop and offal into Hickman creek, in Jessamine county," approved May 6, 1886.

By Mr. Walker, from the Committee on Public Health—

A bill for the benefit of W. E. Graham, of Allen county.

By Mr. Triplett, from the Committee on Railroads—

A bill to amend the charter of the Middle Division of the Cumberland and Ohio Railroad Company.

By Mr. Boles, from the Committee on Codes of Practice—

A bill for the benefit of John King, of Barren county.

By Mr. Hill, from the Committee on Courts of Justice—

A bill for the benefit of Hartford College.

By Mr. Price, from the Committee on Claims—

A bill to refund to certain manufacturers of fertilizers the

license fees paid by them to the Commissioner of Agriculture from March 1 to April 13, 1886, inclusive.

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to incorporate the Larue County Deposit Bank.

By Mr. Dixon, from the Committee on Propositions and Grievances—

A bill for the relief of the Manufacturing Establishment for the Blind.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hays moved to reconsider the vote by which the Senate had passed the last-named bill.

Which motion was simply entered.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act declaring Cypress creek, in McLean county, a navigable stream, and fixing a penalty for obstructing the same;

An act for the benefit of Robert Young, of Cumberland county;

An act to incorporate the Franklin County and Pigeon Fork Meeting-house Turnpike Road Company;

An act for the benefit of A. M. Adair, of Hart county;

An act for the benefit of James H. Young, of Adair county;

An act for the benefit of Thompson, Wilson & Co.;

An act to incorporate the City Passenger Railway Company;

An act to amend section 342, of the Civil Code of Practice;

An act to amend section 19, chapter 42, of General Statutes, title "Ferries;"

An act to enable the County Court of Mason county to provide free turnpikes in Mason county;

An act to consolidate common school districts Nos. 83, 84 and 86 for white children, in Barren county, Kentucky;

An act to incorporate the Bond's Mill and Lillard's Ferry Turnpike Road Company, in Anderson county;

An act to incorporate the Crooked Creek Turnpike Road Company, in Anderson county.

An act to amend section 21, of the Code of Practice in criminal cases;

An act to incorporate the Consumers' Gas-light Company, of Covington;

An act for the benefit of Charles Moffard, of Nicholas county;

An act to amend the charter of the Shelbyville and Taylorsville Turnpike Road Company;

An act to repeal an act, entitled "An act for the protection and propagation of food-fishes in the waters of Kentucky," approved March 20, 1876, so far as said act applies to the counties of Adair, Green, Metcalfe and Henry;

An act to amend the charter of the town of Pembroke, in Christian county;

An act to amend an act, entitled "An act to incorporate the Standard Normal University," approved April 28, 1886;

An act making the graduates of the West Kentucky Classical and Normal College, or the South Carrollton Male and Female Institute, qualified teachers in any of the public schools of the State of Kentucky;

An act to incorporate the Clarksville and Ohio River Railroad Company;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the revenue laws;'"

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870;

And enrolled bills which originated in the Senate, of the following titles, viz:

An act authorizing and empowering Arthur Wilcox and Luke Dees, their heirs or assigns, to sue the Commonwealth of Kentucky to recover and have refunded to them the purchase money paid the State for lands purchased and entered by said Arthur

Wilcox and Luke Dees, in the counties west of Tennessee river, under the act of January 3, 1825, and prior to February 28, 1835;

An act to incorporate the Owensboro Safety Vault and Trust Company;

An act to amend section 4, of article 31, of chapter 29, of the General Statutes;

An act to limit the amount of the indebtedness of Gallatin county for turnpike purposes;

An act to amend section 553, of the Civil Code of Practice;

An act to amend an act to incorporate the Pendleton Agricultural and Mechanical Association, approved March 16, 1878;

An act concerning the deposits of the Sinking Fund of the city of Louisville;

An act to prohibit and punish certain trespassing in Simpson county;

An act to incorporate the Madison Bridge Company;

An act to authorize the improvement of an extension of East Broadway street, in Jefferson county;

An act, entitled "An act to prevent distillers from emptying their slop and offal into Hickman creek, in Jessamine county," approved May 1, 1886;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Berry, from the Committee on Education—

An act for the benefit of the graduates of the West Kentucky College, at Mayfield, Ky., and high school at Paducah.

By same—

An act to amend an act, entitled "An act for the benefit of common school district No. 43, in Graves county."

By Mr. Dixon, from the Committee on Propositions and Grievances—

An act to empower the County Court of Union county to subscribe to the capital stock of turnpike and gravel roads in said county, and to purchase such roads and to issue bonds and levy taxes for those purposes.

By Mr. Berry, from the Committee on Education—

An act to amend an act, entitled "An act to amend an act to incorporate Eminence College and other schools in Henry county," passed at the present session of the Legislature.

By Mr. Bryan, from the Committee on the Judiciary—

An act to amend the charter of the city of Ludlow, Kenton county.

By Mr. Berry, from the Committee on Education—

An act to change the boundary line between school districts Nos. 47 and 50, in Clark county.

By Mr. Burnett, from the Committee on General Statutes—

An act to amend the charter of the town of Prestonville.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to incorporate the Simpsonville and Long Run Turnpike Company.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to amend chapter 1363, of the Local and Private Acts of 1883-4, approved May 5, 1884.

By Mr. J. R. W. Smith, from the Committee on Railroads—

An act to incorporate the Cincinnati, Cumberland Valley and Nashville Railway Company, and to authorize certain counties to raise money to aid in the construction of a railroad by said company.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Bryan—

1. A bill to incorporate the Covington Short Route Transfer Railway Company.

On motion of Mr. Grundy—

2. A bill to amend the charter of the Middle Division of the Cumberland and Ohio Railroad.

On motion of Mr. Gorin—

3. A bill for the benefit of John King, of Barren county, Ky.

On motion of Mr. Taulbee—

4. A bill to take the sense of the voters of Lee county, in regard to the sale of spirituous, vinous or malt liquors in said county.

On motion of same—

5. A bill to abolish the Criminal Court in Magoffin county.

On motion of Mr. Gilbert—

6. A bill to amend chapter 25, of the General Statutes, entitled "Coroners."

On motion of Mr. McKee—

7. A bill to authorize Anderson county to subscribe aid to the Louisville Southern Railroad Company.

On motion of same—

8. A bill to permit Mercer county to subscribe aid to the Louisville Southern Railroad.

On motion of Mr. Grundy—

9. A bill for the benefit of Loventhal Academy, Lebanon, Ky.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Railroads the 2d; the Committee on Codes of Practice the 3d; the Committee on Religion and Morals the 4th; the Committee on Courts of Justice the 5th; the Committee on General Statutes the 6th, 7th and 8th; and the Committee on Education the 9th.

And then the Senate adjourned until 4 o'clock P. M.

The Senate met pursuant to adjournment.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend chapter 99, of the General Statutes, entitled "Sergeant."

An act to amend an act to charter the Marion School Association, in Crittenden county, approved February 16, 1869.

An act to authorize the trustees of school district No. 16, in Campbell county, to levy an ad valorem tax for the purpose of paying off the indebtedness on the district school-house therein, and to finish up said house.

An act to amend the charter of the town of Taylorsville, passed at the present session.

An act to amend an act, entitled "An act to incorporate the town of Dunville, in Casey county."

An act to repeal an act, entitled "An act to regulate the advertising of real estate and personal property under execution sales, sales under decrees or judgments, and sales of real estate for State and county taxes in Boyd county, and fixing compensation therefor."

An act to prevent the running at large of horses, cows, sheep, hogs and other domestic animals in Christian county.

An act to amend an act, entitled "An act to incorporate the Board of Managers of the Louisville House of Refuge," and the amendments thereto.

An act to incorporate the Grayson County Bank.

An act to amend the charter of the Jellico Mineral and Lumber Company, organized under the fifty-sixth chapter of the General Statutes.

An act regulating the advertisement of Master Commissioner's sales made under judgments of the Ohio Circuit Court in certain cases.

An act to amend an act, entitled "An act to incorporate the Cumberland River Railway Company."

An act to incorporate the Washington County Banking Company.

An act, entitled "An act to amend the charter of the Bank of Louisville."

An act to amend section 334, of the Civil Code.

An act to amend the charter of the East Kentucky Normal School, formerly chartered.

An act to incorporate the Catlettsburg Normal Academy.

An act to amend the charter of the Ohio Valley Railway Company.

An act to incorporate the Dunville Cornet Band Company.

An act in relation to street railways.

An act to extend and define the boundary of the city of Newport.

An act to amend an act, entitled "An act to incorporate the Mutual Benefit Association of the Western Virginia Conference of the M. E. Church, South," approved March 6, 1880.

An act to amend an act incorporating the Continental Life Insurance Association.

An act to incorporate the Madison and South-eastern Railway.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867, and the several acts amendatory thereto.

An act to authorize the Daviess County Court to borrow and use its surplus funds collected for railroad, bond and coupon purposes in constructing a new jail.

An act directing the State Librarian to have water from the Frankfort water-works turned into the fountain in Capitol Square and authorizing her to continue the use of same.

An act to amend an act, entitled "An act to establish a Board of Commissioners for Floyd county, and to define their duties and the duties of other county officers whose duties are connected with the duties of said Commissioners," approved April 10, 1886.

An act to amend an act, entitled "An act to amend the charter of the town of Berryville, and change the name thereof," approved April 9, 1880.

An act to amend the charter of the Maysville Gas Company.

Mr. Simon, from the Committee on General Statutes, to whom was recommitted a bill from the House of Representatives, entitled

An act regulating the exemption of personal property from execution, attachment, distress, for rent and fee bills in this Commonwealth.

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the following property shall be exempt from execution, attachment, distress or fee bill, namely: Two work beasts or one work beast and one yoke of oxen, two plows and gear, one wagon and set of gear, or cart or dray, two axes, three hoes, one spade, one shovel, two cows and calves, beds, bedding and furniture sufficient for family use, one loom and spinning wheel and pair of cards, all the spun yarn and manufactured cloth manufactured by the family necessary for family use, carpeting for all family rooms in use, one table, all books not to exceed fifty dollars in value, two saddles and their appendages, two bridles, six chairs, or so many as shall not exceed ten dollars in value, one cradle, all the poultry on hand, ten head of sheep not to exceed twenty-five dollars in value, all wearing apparel, sufficient provisions, including breadstuff and animal food, to sustain the family for one year, if not on hand other personal property, money or growing crop not to exceed forty dollars in value for each member of the family, provender suitable for live stock, if there be any such stock, not to exceed seventy dollars in value, and if such provender be not on hand, such other property as shall not exceed such sum in value, all washing apparatus not to exceed fifty dollars in value, all arms, ammunition and equipments of a militiaman, one sewing machine and all family portraits and pictures, one cooking stove and appendages and other cooking utensils not to exceed in value twenty-five dollars.

§ 2. That a work beast exempted under this act shall not exceed in value one hundred and fifty dollars, and a cow and a calf exempted under it shall not exceed in value sixty dollars. If the officer making the levy believes said animals, when levied on, exceed said respective sums in value, or if the plaintiff in the writ levied by the officer demands it, the officer shall have the animals appraised by two disinterested housekeepers of the county, one to be selected by the officer and the other by the defendant, and in case of disagreement, then the two shall select a third, who shall be sworn by the officer to discharge the duties of appraisers as required by law in the appraisement of real estate to be sold under execution, and if it shall appear by such appraisement such animals have a greater value than the amounts above specified, then such animals shall be sold and the defendant allowed out of the proceeds of sale of each animal the sums above specified, respectively. The officer shall return the appraisement, with the writ under which he was acting.

§ 3. The tools, not exceeding one hundred dollars in value, of any mechanic are exempt from levy under execution, attachment, distress, for rent or fee bills. If, however, a mechanic claims the benefit of this section, there shall be but one work beast exempt in his favor. For the purpose of carrying out the provisions of this section, the officer making the levy shall, be-

fore he proceeds to sell, ascertain, by the judgment of two discreet, disinterested housekeepers selected and sworn by him, the value of the tools, and set apart for the defendant such as may be selected by him or his agent, not to exceed in amount one hundred dollars, and may sell the residue. If there be not more than that amount in value, then all the tools shall be set apart to the defendant. A list of the tools so set apart shall be returned by the officer with the process.

§ 4. The libraries of all ministers of the gospel, and the professional libraries of attorneys at law, the professional libraries and instruments of physicians and surgeons, not to exceed in value five hundred dollars, shall be exempt from execution, attachment, distress, for rent or fee bills: *Provided*, That such ministers, lawyers, physicians and surgeons, shall be entitled to only one work beast, and to no wagon, cart or dray.

§ 5. The wages, not to exceed fifty dollars, of all persons who work for wages, shall be exempt from execution, attachment, distress, for rent, garnishment or fee bills: *Provided*, That the exemption of fifty dollars shall not apply to debts contracted for food, raiment or house rent for the family.

§ 6. The exemption mentioned in this act shall apply only to *bona fide* housekeepers with a family resident in this Commonwealth, and shall be in force from and after the first day of June, 1886, and to all debts contracted before that time, the present law of exemptions shall apply.

§ 7. All other laws and parts of laws relating to the exemption of personal property from execution, attachment, distress, for rent or fee bills in this Commonwealth are hereby repealed.

Mr. J. R. W. Smith moved to amend said bill as follows, viz:

Strike out all of section 5 from and after and including the word "*Provided*" in said section.

Mr. Wilson moved to lay said bill and proposed amendment thereto on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	J. W. Ogilvie,	J. R. W. Smith,
F. M. Clement,	J. N. Price,	W. H. Taulbee,
W. F. Neat,	D. H. Smith,	J. H. Wilson—9

Those who voted in the negative, were—

S. H. Boles,	H. T. Kendall,	J. T. Simon,
J. W. Bryan,	L. M. Martin,	R. S. Triplett,
W. J. Caudill,	J. H. McDanell,	Robert Walker,
W. M. Cravens,	L. W. McKee,	E. L. Worthington,
W. H. Frederick,	F. D. Rigney,	F. T. D. Wallace—16.
S. E. Hill,		

The question was then taken on the adoption of the amendment to said bill proposed by Mr. J. R. W. Smith, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Triplett, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett,	W. F. Neat,	J. R. W. Smith,
W. W. Bush,	J. W. Ogilvie,	W. H. Taulbee,
F. M. Clement,	D. H. Smith,	J. H. Wilson—9.

Those who voted in the negative, were—

M. C. Alford,	W H. Frederick,	F. D. Rigney,
S. H. Boles,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	S. E. Hill,	E. R. Sparks,
C. M. Clay, Jr.,	H. T. Kendall,	R. S. Triplett,
W. M. Cravens,	L. M. Martin,	Robert Walker,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
John Feland,	L. W. McKee,	F. T. D. Wallace—21.

Mr. Burnett moved to amend said bill as follows, viz:

Amend by striking out "*bona fide* housekeepers," and inserting "persons," in lieu thereof in section 6.

And the question being taken thereon, it was decided in the affirmative by the casting vote of Hon. James R. Hindman, Lieutenant-Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Burnett, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burnett, W. W. Bush, F. M. Clement, W. M. Cravens, Henry Dixon, W. H. Frederick, W. F. Neat, J. W. Ogilvie, J. N. Price, F. D. Rigney, D. H. Smith, J. R. W. Smith, W. H. Taulbee, E. L. Worthington, J. H. Wilson, J. R. Hindman—16.

Those who voted in the negative, were—

M. C. Alford, S. H. Boles, J. W. Bryan, C. M. Clay, Jr., John Feland, T. S. Grundy, S. E. Hill, H. T. Kendall, L. M. Martin, J. H. McDanell, L. W. McKee, J. T. Simon, E. R. Sparks, R. S. Triplett, F. T. D. Wallace—15.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Simon, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford, S. H. Boles, J. W. Bryan, W. M. Cravens, John Feland, T. S. Grundy, R. G. Hays, S. E. Hill, H. T. Kendall, L. M. Martin, J. H. McDanell, L. W. McKee, F. D. Rigney, J. T. Simon, R. S. Triplett, E. L. Worthington, F. T. D. Wallace—17.

Those who voted in the negative, were—

R. A. Burnett, W. W. Bush, W. J. Caudill, C. M. Clay, Jr., F. M. Clement, Henry Dixon, W. H. Frederick, W. F. Neat, J. W. Ogilvie, J. N. Price, D. H. Smith, J. R. W. Smith, E. R. Sparks, W. H. Taulbee, Robert Walker, J. H. Wilson—16.

Resolved, That the title of said bill be as aforesaid.

Mr. Worthington moved to reconsider the vote by which the Senate had passed said bill.

Mr. Burnett moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Simon, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	R. G. Hays,	F. D. Rigney,
J. W. Bryan,	S. E. Hill,	J. T. Simon,
W. M. Cravens,	L. M. Martin,	R. S. Triplett,
John Feland,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	L. W. McKee,	F. T. D. Wallace—16.
T. S. Grundy,		

Those who voted in the negative, were—

W. W. Bush,	C. M. Clay, Jr.,	H. T. Kendall—4.
W. J. Caudill,		

Mr. Simon, from the Committee on the Judiciary, to whom was recommitted a bill from the House of Representatives, entitled

An act for the continuation of the Geological Survey,

Reported the same with an amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the continuation of the Geological, Topographical and Agricultural Survey of the State, the chemical analysis of soils and other substances, the collecting and testing of coals, iron ores, building stones, clays and other substances, there is hereby appropriated, from any money in the State Treasury not otherwise appropriated, the sum of $10,000 per annum, to be expended in the same way and manner as provided in chapter 877, of the Session Acts of 1883-4: *Provided*, That the State Geologist shall make an itemized statement of all expenditures made by him to each session of the General Assembly.

§ 2. This act shall take effect and be in force from and after its passage, but the foregoing appropriation shall only be for two years.

Said amendment reads as follows, viz:

Amend by adding to section 1: "Before any of the money herein appropriated is paid to the State Geologist, or upon his order, said Geologist shall execute bond to the Commonwealth of Kentucky, with good and sufficient surety to be approved by the Governor, for the faithful discharge of his duties, which bond shall be attested by the Secretary of State, and filed in his office.

Amend by adding to second section the following words: *Provided*, That all expenses of printing and lithographing, and all other expense connected with the Geological Survey, shall be paid out of this appropriation: *Provided further*, That all moneys received from the sale of publications of the Bureau shall be placed by the Auditor to the credit of the Geological Survey.

Mr. J. R. W. Smith moved to amend the first part of said amendment as follows, viz:

Amend by adding, after the word "bond," the following words, viz: "In the sum of $20,000."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Caudill and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	T. S. Grundy,	F. D. Rigney,
R. A. Burnett,	R. G. Hays,	J. T. Simon,
W. W. Bush,	H. T. Kendall,	D. H. Smith,
W. J. Caudill,	L. M. Martin,	J. R. W. Smith,
C. M. Clay, Jr.,	J. H. McDanell,	E. R. Sparks,
F. M. Clement,	W. F. Neat,	W. H. Taulbee,
W. M. Cravens,	J. W. Ogilvie,	Robert Walker,
Henry Dixon,	J. N. Price,	J. H. Wilson—25.
W. H. Frederick,		

Those who voted in the negative, were—

J. W. Bryan,	L. W. McKee,	E. L. Worthington,
John Feland,	R. S. Triplett,	F. T. D. Wallace—7.
S. E. Hill,		

Mr. D. H. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. F. Neat,	D. H. Smith,
R. A. Burnett,	J. W. Ogilvie,	J. R. W. Smith,
W. W. Bush,	J. N. Price,	W. H. Taulbee—10.
F. M. Clement,		

Those who voted in the negative, were—

J. W. Bryan,	R. G. Hays,	J. T. Simon,
W. J. Caudill,	S. E. Hill,	E. R. Sparks,
C. M. Clay, Jr.,	H. T. Kendall,	R. S. Triplett,
W. M. Cravens,	L. M. Martin,	Robert Walker.
Henry Dixon,	J. H. McDanell,	F. T. D. Wallace,
John Feland,	L. W. McKee,	E. L. Worthington,
W. H. Frederick,	F. D. Rigney,	J. H. Wilson—22.
T. S. Grundy,		

Mr. Simon moved that the session of the Senate be extended until said bill was disposed of.

Mr. D. H. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Bush,	D. H. Smith,	J. R. W. Smith—3.

Those who voted in the negative, were—

J. W. Bryan,	S. E. Hill,	J. T. Simon,
W. J. Caudill,	H. T. Kendall,	E. R. Sparks,
C. M. Clay, Jr.,	L. M. Martin,	R. S. Triplett,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	L. W. McKee,	F. T. D. Wallace—17.
T. S. Grundy,	F. D. Rigney,	

Pending the further consideration of the motion made by Mr. Simon, the hour for adjournment having arrived, further action thereon was cut off thereby.

The Senate then adjourned.

FRIDAY, MAY 14, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to incorporate the Little Fork Coal Company, in Carter county.

That they had receded from their amendment to an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," being chapter 438, of the Acts of 1883-4, and all acts amendatory thereof.

And had concurred in the amendment adopted by the Senate to said bill.

That they had concurred in the adoption of resolutions and passed bills which originated in the Senate of the following titles, viz:

Resolution for the benefit of R. A. Burnett, F. M. Clement, J. H. Wilson, J. P. Newman, James Denton and R. W. Creal.

Resolution in relation to the mutilation and disappearance of certain bills.

An act to exempt all persons over sixty years of age residing in Simpson county from poll-tax.

An act to authorize the County Court of Allen county to subscribe stock in turnpike roads in said county.

An act to amend section 475, of the Civil Code of Practice.

An act for the benefit of Grayson county.

An act submitting a proposition to the voters in district No. 3, in Garrard county, whether or not spirituous, vinous or malt liquors shall be sold therein.

An act to prevent the sale of liquors within one mile of any lock or dam, or site of same, on the rivers of Kentucky.

With an amendment to the last-named bill.

Which was taken up and concurred in.

That they had passed bills of the following titles, viz:

1. An act to establish an additional magisterial district in Wayne county.

2. An act for the benefit of James B. Martin, Clerk of the Barren Circuit Court.

3. An act to protect contractors, sub-contractors, mechanics, laborers and engineers who perform work or furnish materials for the construction or repair of railroads.

4. An act to amend an act, entitled "An act to amend an act, entitled 'An act incorporating the town of Calvert City, in Marshall county.'"

5. An act to authorize and empower the city of Louisville, by its Mayor and General Council, to complete its title by purchase or condemnation to Payne street in said city for the purpose of improving same at the cost, in whole or in part, of said city.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 2d to the Committee on Claims; the 3d to the Committee on the Judiciary, and the 4th to the Committee on General Statutes,

And the 1st and 5th named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

That they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act in reference to the subscriptions by Bourbon county to the capital stock of turnpike roads in said county.

With an amendment thereto.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, May 14, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

Robert S. Smith, Jefferson county.
H. A. Willett, Jefferson county.
M. A. Walker, Jefferson county.
W. W. Jenkins, Jefferson county.
Thos. W. Blackhart, Jefferson county.
Jno. B. Castleman, Jefferson county.
Frederick Wise, Kenton county.
George W. Bryan, Bourbon county.
A. J. Crawford, Pulaski county.
J. J. Marratty, Spencer county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Dixon moved the following resolution, viz:

Resolved by the Senate of the General Assembly of Kentucky, That the Public Printer be, and he is hereby, directed to forward to each member of the Senate and the officers thereof such sheets of the Journal as may not have been printed and delivered at the date of the *sine die* adjournment of the present General Assembly, together with a synopsis of the general acts and the titles of the private and local acts passed at the present session; on which the postage or express charges shall be paid; three hundred copies of said synopsis to be sent to each member and officer of the Senate as aforesaid.

Which was twice read, and adopted.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Which message was taken up and read as follows, viz:

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named gentlemen Commissioners of the Kentucky Institute for the Education and Training of Feeble-Minded Children: Dr. B. F. Duvall, Mr. A. W. Macklin and Mr. T. W. Scott.

I have the honor to be, very respectfully,

J. PROCTOR KNOTT.

EXECUTIVE OFFICE, May 14, 1886.

On motion of Mr. J. R. W. Smith,

Ordered, That the rules be suspended, and that said nominations be advised and consented to.

On motion of Mr. D. H. Smith,

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the concurrence of the Senate in an amendment adopted by the House of Representatives with an amendment to a bill which originated in the Senate, entitled

An act to authorize precinct No. 1, in Larue county, to subscribe for stock in the Hodgenville and Elizabethtown Railway Company.

After a short time the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

The Senate took up for consideration amendments adopted by the House of Representatives to bills which originated in the Senate, of the following titles, viz:

An act to amend chapter 29, General Statutes.

An act to amend an act, entitled "An act to provide for rebuilding the State bridge at Rio, on Green river, in Hart county," approved May 12, 1884.

And the question being taken severally on concurring in the adoption of said amendments, it was decided in the affirmative.

A message was received from the House of Representatives announcing that they had passed a bill which originated in the House of Representatives, entitled

An act to amend article 1, chapter 55, of the General Statutes, title "Division Fences."

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That article 1, chapter 55, of the General Statutes be, and the same is hereby, enlarged and amended by making the provisions thereof apply to corporations owning lands and rights of way, and operating railroads in this State.

§ 2. That when any railroad companies in this Commonwealth have been built ten years, and own land and rights of way and are in operation and assessed for taxation, they are hereby put on equal terms and obligations with other land-owners and tax payers owning adjoining lands in this Commonwealth, and shall be required to erect and maintain a good and lawful fence on their proportion of the line between them and adjacent land-owners, just as other parties are required by law to do.

§ 3. Except that nothing in this act shall be construed as to require any company to build its half until the adjoining land-owner has given the company's nearest station agent thirty days' written notice of his intention and readiness to build a sufficient lawful fence along his, her or their half of the division line between them.

§ 4. That whenever a party owning lands adjoining the lands or rights of way of any such railroad, has built or does build or is ready and intends immediately to build a good and lawful fence along the line between him and the company's land, or right of way, for one half the distance, and the company has not already built a lawful fence, or paid the owner a sum sufficient to build the other half, or a sum upon which they have agreed in lieu of their half, such adjacent land-owner, after having given the nearest station agent of the company to said point sixty days' written notice that he has measured the length of the division line between them and found it to be so long (giving the length), and that he has built a lawful fence along said line or intends immediately to do so for one-half the distance, the company shall be required to build its half within four months thereafter.

§ 5. That in the event said company shall fail or refuse to

build said fence within four months after the service of said notice as aforesaid, then in that event the land-owner has the right to furnish the material and erect said fence (which shall not cost more than his half), and notify the nearest station agent of said company that he has done so, and at a cost of ——, and in the event that the company shall fail or refuse to pay said land-owner said sum within a space of sixty days, he shall have the right to institute a suit in any court of his county having jurisdiction of the amount in controversy, and the only defense to said suit shall be the cost of material and labor expended in building said fence.

§ 6. That the provisions of this act shall not apply in any case where any company has furnished the material to build a fence, or condemned its right of way, and paid the owner or his vendor damages in which the fencing was taken into consideration, in estimating damages, nor be so construed as to require the company to build any fence along its line, through any town or city, or across any public or private passway.

§ 7. That the company shall be required to erect cattle guards at all terminal points of its fence, and at public crossings. But where there is a private passway across said road the land-owner for whose benefit it is shall bear one-half of the expense of cattle guards and gates, the farmer to erect the gate, the company the cattle guards.

§ 8. That any land-owner who has already built a lawful fence along the whole distance of said line between his land and the railroad company's shall have the right, unless he and the railroad company agree otherwise, after giving the company three months' written notice, served on the agent aforesaid, of his intention to move one-half of said fence, shall have the right to do so: *Provided, however*, He shall take no advantage of the company in the removal, so as to put the company to disadvantage in erecting water-gaps across streams and at points where the grade of the road-bed is of such character as to dispense with the necessity of a fence.

§ 9. That for the purpose of guarding against fire and for durability and economy, any fence erected under this act of substantial posts, well set, not less than two feet in the ground, and no greater distance apart than ten feet, with wire not less than four and one-half feet high, consisting of seven strands, shall be held to be a lawful fence under this act, but nothing herein shall be construed to prohibit the parties from erecting any other class of lawful fence.

§ 10. That this act shall not apply to any land where the owner or his vendor has received compensation for fencing said land.

§ 11. *Provided*, That when the owner of any land or lands, or any immediate or remote grantor or vendor of such owner, has given to any railroad company a right of way through such lands free of charge, then the fencing of such lands shall be

done entirely at the cost of said railroad company, said fencing to be done in the way and manner as required by the provisions of this act.

§ 12. That this act shall take effect from and after the first day of June, 1886.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wallace and Feland, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	H. T. Kendall,	J. T. Simon,
R. A. Burnett,	L. M. Martin,	D. H. Smith,
W. M. Cravens,	W. F. Neat,	E. R. Sparks,
John Feland,	J. W. Ogilvie,	W. H. Taulbee,
G. G. Gilbert,	F. D. Rigney,	R. S. Triplett—16.
T. S. Grundy,		

Those who voted in the negative, were—

J. W. Bryan,	F. M. Clement,	E. L. Worthington,
C. M. Clay, Jr.,	S. E. Hill,	F. T. D. Wallace—6.

Resolved, That the title of said bill be as aforesaid.

By unanimous consent, the consideration of the special orders of the day and the orders of the day were dispensed with, and a call of Senators for local bills was ordered to be had.

Bills of the following titles were reported from the several committees who were directed to bring in the same, viz:

By Mr. Rigney, from the Committee on Agriculture and Manufactures—

A bill submitting a proposition to voters in district No. 3, in Garrard county, whether or not spirituous, vinous or malt liquors shall be sold therein.

By Mr. Neat, from the same committee—

A bill to amend an act, entitled "An act to regulate the sale of fertilizers in this Commonwealth, and to protect the agriculturist in the purchase and use of same."

By Mr. Cravens, from the Commitee on Codes of Practice—

A bill to amend an act, entitled "An act to authorize the Trimble County Court to take stock in turnpike roads in said county."

By Mr. Taulbee, from the Committee on Courts of Justice—

A bill to repeal chapter 417, Session Acts, 1883–84, so far as relates to the county of Magoffin.

By Mr. Frederick, from the Committee on Internal Improvements—

A bill to incorporate the Scottsville and Gainesville Turnpike Company.

By Mr. Burnett, from the Committee on General Statutes—

A bill to authorize the county of Anderson to subscribe aid to the Louisville Southern Railroad Company.

By Mr. Bush, from the Committee on the Judiciary—

A bill to legalize seining and trapping fish in Simpson, Bullitt and Hart counties.

By Mr. Wilson, from the Committee on Fish Culture—

A bill to legalize the seining and catching of fish in Grayson county.

By Mr. Clay, from the Committee on Banks and Insurance—

A bill to incorporate the Russellville Bank.

By Mr. Ogilvie, from the Committee on Religion and Morals—

A bill to prevent the sale of spirituous, vinous or malt liquors within four miles of Mt. Olive Church, in Casey county.

By Mr. Cravens, from the Committee on Education—

A bill to confirm the articles of incorporation of the Loventhal Academy, and to amend and increase the powers of same.

By Mr. Sparks, from the Committee on Immigration and Labor—

A bill to amend an act, entitled "An act to reduce into one and repeal the present charter of Nicholasville and the several acts amendatory thereof," approved February 29, 1884.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Fairview Cemetery Company.

By Mr. Burnett, from the Committee on General Statutes—

A bill to authorize the county of Mercer to subscribe aid to the Louisville Southern Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Wilson, from the Committee on General Statutes—

An act to regulate the collection of taxes in Whitley county for county purposes.

By Mr. Caudill, from the Committee on Education—

An act for the benefit of the graduates of the high schools of Dixon, Slaughtersville and Providence, in Webster county.

By Mr. Clay, from the Committee on Banks and Insurance—

An act to incorporate the Central Kentucky Mutual Insurance Company.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to incorporate the Co-operative Mining and Manufacting Company, of Hopkins county.

By Mr. D. H. Smith, from the Committee on General Statutes—

An act to incorporate the Cumberland Gap and Eastern Kentucky Railway Company.

By Mr. Bryan, from the Committee on the Judiciary—

An act to create the Covington Police District, in Kenton county, and to provide for the government thereof.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the sale of liquors within 1,000 yards of Thompson's depot or station, on the Ohio Valley Railway Company, in Union county.

By same—

An act to amend an act incorporating the Richmond Cemetery Company.

By Mr. Rigney, from the Committee on Propositions and Grievances—

An act providing for flood-gates for mill-dams on Green river, in the counties of Lincoln and Casey.

By Mr. Feland, from the Committee on the Judiciary—

An act to incorporate the Hopkinsville Petroleum and Fuel Company.

With amendments to the two last-named bills.

Which were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bill, viz:

On motion of Mr. Taulbee—

A bill for the benefit of D. O. Robinson, of Franklin county.

Ordered, That the Committee on Claims prepare and bring in the same.

The Senate took up for consideration the unfinished report of the Committee on the Judiciary, being a bill which originated in the House of Representatives, entitled

An act for the continuation of the Geological Survey.

[*For bill, see Senate Journal of yesterday.*]

The question pending being on the adoption of the amendment proposed by the committee, as amended by the amendment proposed on yesterday by Mr. J. R. W. Smith.

And the question being taken thereon, it was decided in the affirmative.

Mr. Price moved to amend said bill by striking out $10,000 as the amount appropriated, and inserting in lieu thereof $5,000.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Caudill and Price, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. M. Cravens,	J. N. Price,
R. A. Burnett,	W. H. Frederick,	F. D. Rigney,
W. W. Bush,	R. G. Hays,	D. H. Smith,
A. R. Byers,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	W. F. Neat,	J. H. Wilson—16.
F. M. Clement,		

Those who voted in the negative, were—

J. W. Bryan,	S. E. Hill,	J. R. W. Smith,
W. J. Caudill,	H. T. Kendall,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	R. S. Triplett,
John Feland,	L. W. McKee,	Robert Walker,
G. G. Gilbert,	J. W. Ogilvie,	E. L. Worthington,
T. S. Grundy,	J. T. Simon,	F. T. D. Wallace—19.
J. D. Harris,		

Mr. J. R. W. Smith moved to amend said bill as follows, viz:

Amend the first section of said act by adding thereto the following words, viz: "That none of the money appropriated by this act, shall be used or paid out for any purpose whatever until the debts now unpaid shall first be paid out of said money, that were contracted by John R. Procter, State Geologist for the State display at Exposition at Louisville, Kentucky, and Exposition at New Orleans, Louisiana.

Mr. Burnett moved to amend said proposed amendment as follows, viz:

Amend by inserting, after the word "Louisville," in last line thereof, the words "and the claim of Carl Shenck of $407."

Mr. McKee moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Burnett to the amendment offered by Mr. J. R. W. Smith to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Burnett and McKee, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. M. Cravens,	D. H. Smith,
R. A. Burnett,	W. H. Frederick,	J. R. W. Smith,
W. W. Bush,	R. G. Hays,	W. H. Taulbee,
A. R. Byers,	L. M. Martin,	Robert Walker,
C. M. Clay, Jr.,	J. N. Price,	J. H. Wilson—16.
F. M. Clement,		

Those who voted in the negative, were—

J. W. Bryan,	J. D. Harris,	F. D. Rigney,
W. J. Caudill,	S. E. Hill,	J. T. Simon,

Henry Dixon,	H. T. Kendall,	E. R. Sparks,
John Feland,	J. H. McDanell,	R. S. Triplett,
G. G. Gilbert,	L. W. McKee,	E. L. Worthington,
T. S. Grundy,	J. W. Ogilvie,	F. T. D. Wallace—18.

The question was then taken on the adoption of the amendment proposed by Mr. J. R. W. Smith, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKee and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	J. N. Price,
R. A. Burnett,	R. G. Hays,	D. H. Smith,
W. W. Bush,	L. M. Martin.	J. R. W. Smith,
A. R. Byers,	W. F. Neat,	J. H. Wilson—13.
F. M. Clement,		

Those who voted in the negative, were—

J. W. Bryan,	J. D. Harris,	J. T. Simon,
W. J. Caudill,	S. E. Hill,	E. R. Sparks,
C. M. Clay, Jr.,	H. T. Kendall,	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett,
Henry Dixon,	L. W. McKee,	Robert Walker,
John Feland,	J. W. Ogilvie,	E. L. Worthington,
G. G. Gilbert,	F. D. Rigney,	F. T. D. Wallace—22.
T. S. Grundy,		

Mr. Boles moved to amend said bill by adding thereto the following section, to wit:

That the salary of the State Geologist from and after the date of the passage of this act shall be two thousand dollars.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and McKee, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	T. S. Grundy,	J. W. Ogilvie,
R. A. Burnett,	J. D. Harris,	J. N. Price,
W. W. Bush,	R. G. Hays,	F. D. Rigney,
A. R. Byers,	S. E. Hill,	J. T. Simon,
C. M. Clay, Jr.,	H. T. Kendall,	D. H. Smith,
F. M. Clement,	L. M. Martin,	J. R. W. Smith,
W. M. Cravens,	J. H. McDanell,	W. H. Taulbee,
W. H. Frederick,	W. F. Neat,	J. H. Wilson—24.

Those who voted in the negative, were—

J. W. Bryan,	G. G. Gilbert,	Robert Walker,
W. J. Caudill,	L. W. McKee,	E. L. Worthington,
Henry Dixon,	E. R. Sparks,	F. T. D. Wallace—11.
John Feland,	R. S. Triplett,	

Mr. Clement moved to amend said bill as follows, viz:

Amend by inserting, after the first section, the following words: "Said Geologist shall be elected by the qualified voters of this Commonwealth on the first Monday in August, 1886, and every two years thereafter until otherwise provided by law."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Clement, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	A. R. Byers,	D. H. Smith,
R. A. Burnett,	F. M. Clement,	J. R. W. Smith—8.
W. W. Bush,	W. M. Cravens,	

Those who voted in the negative, were—

J. W. Bryan,	S. E. Hill,	J. T. Simon,
W. J. Caudill,	H. T. Kendall,	E. R. Sparks,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
Henry Dixon,	J. H. McDanell,	R. S. Triplett,
John Feland,	L. W. McKee,	Robert Walker,
G. G. Gilbert,	W. F. Neat,	F. T. D. Wallace,
T. S. Grundy,	J. W. Ogilvie,	E. L. Worthington,
J. D. Harris,	J. N. Price,	J. H. Wilson—26.
R. G. Hays,	F. D. Rigney,	

Mr. Simon moved to amend said bill as follows, viz:

Amend the title by adding thereto the following words, viz: "And fixing the salary of the State Geologist."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	R. G. Hays,	J. R. W. Smith,
W. J. Caudill,	S. E. Hill,	E. R. Sparks,
C. M. Clay, Jr.,	H. T. Kendall,	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett,
Henry Dixon,	L. W. McKee,	Robert Walker,
W. H. Frederick,	J. W. Ogilvie,	F. T. D. Wallace,
G. G. Gilbert,	F. D. Rigney,	E. L. Worthington,
T. S. Grundy,	J. T. Simon,	J. H. Wilson—25.
J. D. Harris,		

Those who voted in the negative, were—

S. H. Boles,	A. R. Byers,	L. M. Martin,
R. A. Burnett,	F. M. Clement,	J. N. Price,
W. W. Bush,	John Feland,	D. H. Smith—9.

Resolved, That the title of said bill be as follows, viz:

An act for the continuation of the Geological Survey, and fixing the salary of the State Geologist.

A message was received from the House of Representatives, announcing that they had adopted a resolution which originated in the House of Representatives, entitled

Resolution extending the present session of the General Assembly.

By unanimous consent, said resolution was taken up for consideration.

Mr. J. R. W. Smith moved to lay said resolution on the table.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	W. F. Neat,
R. A. Burnett,	G. G. Gilbert,	J. N. Price,
C. M. Clay, Jr.,	J. D. Harris,	F. D. Rigney,
F. M. Clement,	R. G. Hays,	J. R. W. Smith—13.
John Feland,		

Those who voted in the negative, were—

J. W. Bryan,	H. T. Kendall,	E. R. Sparks,
W. W. Bush,	L. M. Martin,	W. H. Taulbee,
A. R. Byers,	J. H. McDanell,	R. S. Triplett,
W. J. Caudill,	L. W. McKee,	Robert Walker,
W. M. Cravens,	J. W. Ogilvie,	F. T. D. Wallace,
Henry Dixon,	J. T. Simon,	E. L. Worthington,
T. S. Grundy,	D. H. Smith,	J. H. Wilson—22.
S. E. Hill,		

Mr. Clay moved to amend said resolution by adding thereto the following, viz:

Provided, That no bills shall be acted upon by the two houses after Saturday, May 15th, but that the session shall be extended solely for the purpose of allowing the Clerks to get up their business and the Governor to consider bills.

Mr. Boles moved to amend said resolution by striking out "Monday, May 24th," and inserting in lieu thereof "Wednesday, May 19th."

Mr. Cravens moved to amend said resolution by adding thereto the following words, viz:

That no new bills shall be introduced after Saturday, May 15th.

Mr. Martin moved that the further consideration of said resolution and proposed amendments be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	John Feland,	L. M. Martin,
R. A. Burnett,	W. H. Frederick,	L. W. McKee,
W. J. Caudill,	G. G. Gilbert,	W. F. Neat,
C. M. Clay, Jr.,	T. S. Grundy,	J. N. Price,
F. M. Clement,	J. D. Harris,	J. R. W. Smith—15.

Those who voted in the negative, were—

J. W. Bryan,	H. T. Kendall,	W. H. Taulbee,
W. W. Bush,	J. H. McDanell,	R. S. Triplett,
A. R. Byers,	J. W. Ogilvie,	Robert Walker,
W. M. Cravens,	F. D. Rigney,	F. T. D. Wallace,
Henry Dixon,	J. T. Simon,	E. L. Worthington,
R. G. Hays,	D. H. Smith,	J. H. Wilson—20.
S. E. Hill,	E. R. Sparks,	

Mr. J. R. W. Smith moved that the Senate do now adjourn until to-morrow at 10:30 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

John Feland, J. R. W. Smith—2.

Those who voted in the negative, were—

S. H. Boles,	G. G. Gilbert,	J. W. Ogilvie,
J. W. Bryan,	T. S. Grundy,	J. N. Price,
R. A. Burnett,	J. D. Harris,	F. D. Rigney,
W. W. Bush,	R. G. Hays,	J. T. Simon,
A. R. Byers,	S. E. Hill,	D. H. Smith,
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
C. M. Clay, Jr.,	L. M. Martin,	R. S. Triplett.
F. M. Clement,	J. H. McDanell,	F. T. D. Wallace,
W. M. Cravens,	L. W. McKee,	E. L. Worthington,
Henry Dixon,	W. F. Neat,	Robert Walker—30.

Mr. Wallace moved the previous question.

Mr. Clay moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Feland, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr., John Feland, J. R. W. Smith—4.
W. H. Frederick,

Those who voted in the negative, were—

S. H. Boles,	T. S. Grundy,	F. D. Rigney,
J. W. Bryan,	R. G. Hays,	J. T. Simon,
R. A. Burnett,	S. E. Hill,	D. H. Smith,
W. W. Bush,	H. T. Kendall,	E. R. Sparks,
A. R. Byers,	L. M. Martin,	W. H. Taulbee,
W. J. Caudill,	J. H. McDanell,	R. S. Triplett,
F. M. Clement,	L. W. McKee,	Robert Walker,
W. M. Cravens,	W. F. Neat,	F. T. D. Wallace,
Henry Dixon,	J. W. Ogilvie,	E. L. Worthington,
G. G. Gilbert,	J. N. Price,	J. H. Wilson—30.

The question was then taken "Shall the main question be now put?" and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Clay to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and McKee, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	H. T. Kendall,
R. A. Burnett,	G. G. Gilbert,	J. H. McDanell,
W. J. Caudill,	T. S. Grundy,	W. F. Neat,
C. M. Clay, Jr.,	J. D. Harris,	F. D. Rigney,
F. M. Clement,	R. G. Hays,	J. R. W. Smith—16.
John Feland,		

Those who voted in the negative, were—

J. W. Bryan,	L. W. McKee,	W. H. Taulbee,
W. W. Bush,	J. W. Ogilvie,	R. S. Triplett,
A. R. Byers,	J. N. Price,	Robert Walker,
W. M. Cravens,	J. T. Simon,	F. T. D. Wallace,
Henry Dixon,	D. H. Smith,	E. L. Worthington,
S. E. Hill,	E. R. Sparks,	J. H. Wilson—19.
L. M. Martin,		

The question was then taken on the adoption of the amendment proposed by Mr. Boles to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and J. R. W. Smith, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr.,	J. H. McDanell,	J. N. Price,
John Feland,	L. W. McKee,	J. R. W. Smith,
W. H. Frederick,	W. F. Neat,	R. S. Triplett—10.
L. M. Martin,		

Those who voted in the negative, were—

S. H. Boles,	G. G. Gilbert,	J. T. Simon,
J. W. Bryan,	T. S. Grundy,	D. H. Smith,
R. A. Burnett,	J. D. Harris,	E. R. Sparks,
W. W. Bush,	S. E. Hill,	W. H. Taulbee,

A. R. Byers,
W. J. Caudill,
F. M. Clement,
W. M. Cravens,
Henry Dixon,
R. G. Hays,
H. T. Kendall,
J. W. Ogilvie,
F. D. Rigney,
Robert Walker,
F. T. D. Wallace,
E. L. Worthington,
J. H. Wilson—25.

The question was then taken on the adoption of the amendment proposed by Mr. Cravens to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and McKee, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,
R. A. Burnett,
C. M. Clay, Jr.,
F. M. Clement,
W. M. Cravens,
John Feland,
W. H. Frederick,
R. G. Hays,
H. T. Kendall,
L. M. Martin,
W. F. Neat,
J. W. Ogilvie,
J. N. Price,
J. T. Simon,
J. R. W. Smith,
W. H. Taulbee,
J. H Wilson—17.

Those who voted in the negative, were—

S. H. Boles,
W. W. Bush,
A. R. Byers,
W. J. Caudill,
Henry Dixon,
G. G. Gilbert,
T. S. Grundy,
J. D. Harris,
S. E. Hill,
J. H. McDanell,
L. W. McKee,
F. D. Rigney,
D. H. Smith,
E. R. Sparks,
R. S. Triplett,
F. T. D. Wallace,
E. L. Worthington,
Robert Walker—18.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,
W. W. Bush,
Henry Dixon,
S. E. Hill,
J. W. Ogilvie,
J. T. Simon,
D. H. Smith,
E. R. Sparks,
W. H. Taulbee,
R. S. Triplett,
Robert Walker,
F. T. D. Wallace,
J. H. Wilson—13.

Those who voted in the negative, were—

S. H. Boles,	W. H. Frederick,	J. H. McDanell,
R. A. Burnett,	G. G. Gilbert,	L. W. McKee,
A. R. Byers,	T. S. Grundy,	W. F. Neat,
W. J. Caudill,	J. D. Harris,	J. N. Price,
C. M. Clay, Jr.,	R. G. Hays,	F. D. Rigney,
F. M. Clement,	H. T. Kendall,	E. L. Worthington,
W. M. Cravens,	L. M. Martin,	J. R. W. Smith—22.
John Feland,		

So said resolution was disagreed to.

Mr. Worthington moved to reconsider the vote by which the Senate had disagreed to said resolution.

Mr. Triplett moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. J. R. W. Smith moved to table the motion made by Mr. Worthington to reconsider the vote by which the Senate had disagreed to said resolution.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKee and Feland, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	W. F. Neat,
J. W. Bryan,	L. M. Martin,	J. N. Price,
C. M. Clay, Jr.,	L. W. McKee,	J. R. W. Smith—10.
John Feland,		

Those who voted in the negative, were—

R. A. Burnett,	S. E. Hill,	E. R. Sparks,
W. W. Bush,	H. T. Kendall.	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett,
G. G. Gilbert,	J. W. Ogilvie,	F. T. D. Wallace.
T. S. Grundy,	F. D. Rigney,	E. L. Worthington,
J. D. Harris,	J. T. Simon,	J. H. Wilson—19.
R. G. Hays,		

Mr. Gilbert moved that the further consideration of the motion made by Mr. Worthington to reconsider the vote by which

the Senate had refused to concur in the adoption of said resolution, be postponed until to-morrow at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and McKee, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	T. S. Grundy,	E. R. Sparks.
R. A. Burnett,	J. D. Harris,	R. S. Triplett,
A. R. Byers,	R. G. Hays,	Robert Walker,
F. M. Clement,	H. T. Kendall,	F. T. D. Wallace.
John Feland,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	W. F. Neat,	J. H. Wilson—20.
G. G. Gilbert,	F. D. Rigney,	

Those who voted in the negative, were—

W. W. Bush,	L. M. Martin,	J. T. Simon,
C. M. Clay, Jr.,	L. W. McKee,	D. H. Smith,
Henry Dixon,	J. W. Ogilvie,	J. R. W. Smith,
S. E. Hill,	J. N. Price,	W. H. Taulbee—12.

Mr. McDanell, from the Committee on Agriculture and Manufactures, to whom was referred a bill which originated in the House of Representatives, entitled

An act to establish for the State of Kentucky a State Weather Service,

Reported the same without amendment.

Ordered That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, An appropriation is offered by the Signal Service of the United States to greatly extend the benefit of the weather reports throughout Kentucky. The inestimable value of these weather reports is becoming more and more apparent. Navigators, dealers in perishable goods, planters and farmers consult the indications as published and often obtain them by private telegram, for they have learned that by so doing they will greatly diminish the risks necessarily attending their various occupations. The United States Signal Service proposes to transmit by telegraph special predictions, cold wave and frost warnings, to all portions of the State in return for observations

of the weather, taken by volunteer State observers. Similar services are in successful operation in Ohio, Indiana, Illinois, Michigan, Kansas, Nebraska, Missouri, Iowa, Tennessee, Pennsylvania and other States, and the value of the work is incalculable; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there be, and hereby is, established a weather service for the State of Kentucky, co-operating with the United States Signal Service at Washington, D. C., with a central office at Louisville, under the control of a director to be appointed by the Governor, whose duty it shall be to establish volunteer weather stations throughout the State, to supervise the same, to receive monthly reports therefrom, and reduce the same to proper form for publication in the newspapers of the State.

§ 2. That there is appropriated the sum of five hundred dollars ($500), or as much thereof as may be necessary, for the purchase of instruments for the volunteer State observers, but no part thereof shall be used in payment of salaries to any officer or officers.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, for want of a constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	T. S. Grundy,	J. H. McDanell,
C. M. Clay, Jr.,	J. D. Harris,	J. T. Simon,
W. M. Cravens,	R. G. Hays,	J. R. W. Smith,
Henry Dixon,	S. E. Hill,	E. R. Sparks,
John Feland,	H. T. Kendall,	E. L. Worthington,
W. H. Frederick,	L. M. Martin,	R. S. Triplett—19.
G. G. Gilbert,		

Those who voted in the negative, were—

S. H. Boles,	F. M. Clement,	D. H. Smith,
R. A. Burnett,	W. F. Neat,	W. H. Taulbee,
W. W. Bush,	J. W. Ogilvie,	F. T. D. Wallace,
A. R. Byers,	F. D. Rigney,	J. H. Wilson—13.
W. J. Caudill,		

So said bill was disagreed to.

Mr. Wilson moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

By unanimous consent, the Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization," approved May 10, 1884,

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act to equalize assessments for revenue purposes and to provide a State Board of Equalization," approved May 10, 1884, be, and the same is hereby, repealed.

§ 3. This act shall take effect from its passage.

The amendment heretofore proposed by the committee as a substitute for said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization, approved May 10, 1884, be amended by striking out sections 1 and 2 of said act, and by inserting in lieu thereof the following words, to wit: "It shall be the duty of the Judges of the Court of Appeals, a majority concurring, in October, 1886, and every two years thereafter, to appoint one person, having the qualification of an elector, from each appellate district in this State, and they, together with the Auditor of Public Accounts, shall constitute a State Board of Equalization. The members of this Board shall hold their offices for the period of two years and until their successors are appointed and qualified. The term of office of said persons, to be appointed as aforesaid, shall begin on the first day of November, 1886. A majority of such Board shall constitute a quorum to do business."

§ 2. Strike out, in the fourth line of section 14 of said act, the words "five dollars" and insert in lieu thereof "six dollars."

§ 3. That the act to which this is an amendment be further amended by adding the following: That the clerks of the various County Courts of this Commonwealth are hereby required to make out an annual tabulated statement of all sales of real estate, as shown by the deed books in their respective counties, town lots being kept separate from other real estate; said tabulated statement shall be for one year immediately preceding the tenth day of January, and shall contain a list of all sales of

real estate, town lots being kept separate as aforesaid, the price paid, with terms and conditions, the number of acres and the assessed value of same for the said year. The said tabulated statement shall be sworn to by the said clerk before some person competent to take oaths as a full and complete statement of said facts for the period of one year previous to the tenth day of January. Said tabulated list shall be made out and sent to the Auditor of Public Accounts for the use of the State Board of Equalization. For his services in making said tabulated statement the clerk shall be paid a reasonable compensation by the County Court of his respective county. If any clerk of any county in this Commonwealth fails to make out and send by mail or otherwise to the Auditor of Public Accounts on or before the fifteenth day of May, in each year, the tabulated list of sales, as provided in this act, he shall be fined not less than fifty nor more than two hundred dollars upon indictment in any court of competent jurisdiction in this Commonwealth.

§ 4. That the act to which this is an amendment be further amended as follows: The said Board of Equalization shall fix the percentage of assessed value of both real and personal property at —— per centum of cash value, and all counties whose average lists of real or personal property are below such per centum shall be raised to the same, and all those counties whose average lists are above the same shall be lowered to said standard.

§ 5. The Secretary of the State Board of Equalization shall report to the various County Judges of this Commonwealth, as soon as possible, the action of the Board in regard to their respective counties, whereupon said Judges may, in their discretion, each appoint not exceeding five witnesses to appear under oath before said Board in reference to the action of the Board. The said Board shall then revise their action, or not, as they may think just and proper. Such witnesses must appear in a reasonable time, or they shall lose their right to be heard. The compensation and expenses of said witnesses, if any, shall be paid by their respective County Courts.

§ 6. This act shall not operate to abolish the present Board, now in office, until the first day of November, 1886.

§ 7. Also amend by striking out section 4 of said act and inserting in lieu thereof the following: At the first meeting of said Board it shall organize by selecting one of its members as chairman and by appointing such secretaries as may be necessary.

§ 8. This act shall take effect from and after its passage.

Mr. Dixon had heretofore proposed to amend said substitute as follows, viz:

Amend by adding these words, viz: "The equalization made by the Board shall apply to taxes for county as well as State purposes."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by the committee as a substitute for said bill and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Clay and Feland, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	S. E. Hill,	J. R. W. Smith.
C. M. Clay, Jr.,	L. M. Martin,	E. R. Sparks,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett,
Henry Dixon,	L. W. McKee,	E. L. Worthington,
W. H. Frederick,	J. N. Price,	F. T. D. Wallace—17.
J. D. Harris,	J. T. Simon,	

Those who voted in the negative, were—

S. H. Boles,	John Feland,	J. W. Ogilvie,
R. A. Burnett,	T. S. Grundy,	F. D. Rigney,
W. W. Bush,	R. G. Hays,	D. H. Smith,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee.
W. J. Caudill,	W. F. Neat,	J. H. Wilson—16.
F. M. Clement,		

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Feland and Byers, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	J. D. Harris.	J. T. Simon,
C. M. Clay, Jr.,	S. E. Hill,	J. R. W. Smith,
W. M. Cravens,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	R. S. Triplett,
W. H. Frederick,	L. W. McKee,	E. L. Worthington,
T. S. Grundy,	J. N. Price,	F. T. D. Wallace—18.

Those who voted in the negative, were—

S. H. Boles,	F. M. Clement,	J. W. Ogilvie,
R. A. Burnett,	John Feland,	F. D. Rigney,
W. W. Bush,	R. G. Hays,	D. H. Smith,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee.
W. J. Caudill,	W. F. Neat.	J. H. Wilson—15.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to punish and make seduction a felony in this Commonwealth.

The question being, "Shall the Senate recede or adhere to its amendment adopted to said bill?"

And the question being taken thereon, it was decided that the Senate would recede from said amendment.

The Senate took up for consideration a bill, entitled

An act to declare void certain indorsements heretofore erroneously made on certain warrants on file in the Land Office, and to authorize patents to be issued on said certificates of survey.

Mr. Wilson raised the point of order that said bill could not be taken up for consideration on a call of Senators for local bills.

The Speaker overruled said point of order.

On motion of Mr. Caudill,

Ordered, That the further consideration of said bill be postponed until to-morrow at 11 o'clock A. M.

Mr. Martin, from the Committee on the Judiciary, to whom was recommitted a bill which originated in the House of Representatives, entitled

An act to incorporate the Kentucky State Detective Agency,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

On motion of Mr. Bryan, the Senate then adjourned until 4 o'clock P. M.

The Senate met pursuant to adjournment.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Shelby Railroad Company.

An act to amend an act, entitled "An act empowering St. Paul's P. E. Church, of Newport, to bond its debt," approved March 28, 1886.

An act for the benefit of Park Haynes and other persons.

Mr. D. H. Smith moved to reconsider the vote by which the Senate had concurred, with an amendment, in an amendment, adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act to authorize precinct No. 1, in Larue county, to subscribe for stock in the Hodgensville and Elizabethtown Railway Company.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on concurring in the amendment adopted by the House of Representatives, and it was decided in the affirmative.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act for the continuation of the Geological Survey.

That they had passed bills which originated in the Senate of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Atlanta Agricultural and Stock Display Association."

An act to regulate continuances in criminal and penal cases.

An act to amend an act, entitled "An act to reduce into one and repeal the present charter of the town of Nicholasville, and several acts amendatory thereof," approved February 29, 1884.

An act to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company."

An act to authorize the county of Anderson to subscribe aid to the Louisville Southern Railroad Company.

An act to authorize the county of Mercer to subscribe aid to the Louisville Southern Railroad Company.

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882.

With an amendment to the last-named bill.

That they had passed bills of the following titles, viz:

1. An act for the benefit of Mrs. Martha C. Lewis.

2. An act to amend an act, entitled "An act to amend and reform the common school laws of this Commonwealth," chapter 1330, approved May 12, 1884.

3. An act to establish school district No. 62, in Meade county.

4. An act to require vinegar manufacturers to brand the same as to what the vinegar is made of.

5. An act for the benefit of Wm. S. Stone and Lewis F. Wahl, assistant elisors of Daviess county.

6. An act to provide additional salary for the Circuit Judge of the Tenth Judicial District.

7. An act in relation to Franklin county.

8. An act to provide for payment of fees in misdemeanor cases.

9. An act to amend section 13 of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886.

10. An act for the benefit of R. M. Jackson, of Laurel county.

11. An act for the benefit of Shade Combs.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Propositions and Grievances; the 2d, 3d and 11th to the Committee on Education; the 4th to the Committee on Agriculture and Manufactures; the 5th and 10th to the Committee on Claims; the 6th to the Committee on Courts of Justice, and the 8th to the Committee on General Statutes.

And the 7th and 9th named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to prohibit the sale of spirituous, vinous and malt liquors, in the county of Muhlenberg.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be unlawful for any person or persons to sell, barter or traffic in spirituous, vinous or malt liquors, in any quantity whatever, either directly or indirectly, in the county of Muhlenberg.

§ 2. Any person violating the provisions of the preceding section shall, upon conviction, be fined in any sum not less than $100 nor more than $500, in the discretion of the jury trying the case.

§ 3. This act shall not take effect or be in force until the same shall be ratified and approved by a majority of the votes cast at the election hereinafter provided for in this act.

§ 4. Said election shall be held on the first Saturday in October, 1886, and it shall be unlawful for any person to vote at said election who is not eligible to vote for Representative to the General Assembly. It shall be the duty of the Clerk of the Muhlenberg County Court, in preparing the poll-books for said election, to make one column marked at the head thereof on each page, "For the sale of spirituous, vinous and malt liquors;" and another column marked at the head of each page, "Against the sale of spirituous, vinous and malt liquors."

§ 5. It shall be the duty of the clerk of said election to propound to each individual who offers to vote at said election, the question, "Are you for or against the sale of whisky in the county of Muhlenberg?" and his vote shall be recorded according to his answer. The officers of the election shall be governed by the laws now regulating the conduct of officers of general elections. The poll-books shall be returned, compared and result certified as now required by law regulating general elections. If it shall appear from a comparison of the polls that a majority of the votes cast at said election are against the said liquors, then the board to examine the poll shall make a certificate of that fact, which shall be filed with the County Clerk, who shall record the same in his office, and then this act shall be in force and effect.

§ 6. It is hereby made the duty of the Muhlenberg County Court to order the Sheriff to give twenty days' notice of the said election by written or printed posters in each of the voting places of said county.

§ 7. Nothing in this act shall be construed to interfere with the privilege of persons selling liquors under a license properly granted till the expiration of such license.

§ 8. This act, in so far as it authorizes the vote to be taken, shall take effect from and after its passage.

The question pending being on the adoption of an amend ment heretofore proposed by Mr. Triplett to said bill.

Said amendment reads as follows, viz:

Provided, That Central City, Muhlenberg county, be exempted from the provisions of this act.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boles and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	T. S. Grundy,	J. R. W. Smith,
F. M. Clement,	L. W. McKee,	R. S. Triplett—8.
W. M. Cravens,	F. D. Rigney,	

Those who voted in the negative, were—

R. A. Burnett,	S. E. Hill,	J. T. Simon,
W. W. Bush,	H. T. Kendall,	D. H. Smith,
W. J. Caudill,	L. M. Martin,	E. R. Sparks,
C. M. Clay, Jr.,	J. H. McDanell,	W. H. Taulbee,
Henry Dixon,	W. F. Neat,	F. T. D. Wallace,
John Feland,	J. W. Ogilvie,	E. L. Worthington,
R. G. Hays,	J. N. Price,	J. H. Wilson—21.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Kendall moved to reconsider the vote by which the Senate had passed said bill.

Mr. Wilson moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hays withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, entitled

An act for the benefit of the Kentucky Manufacturing Establishment for the Blind.

Mr. Clay, from the Committee on Banks and Insurance, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Guarantee Fund and Collecting Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby established a Guarantee Fund and Collecting Company, with a capital stock of one hundred thousand dollars in shares of fifty dollars each, which said capital stock may be increased to an amount in the discretion of the board of directors, said stock to be subscribed, and paid for in the manner hereinafter provided, and the subscribers to said stock their successors and assigns shall be a body-politic and corporate by the name and style of the Guarantee Fund and Collecting Company, and shall have and may exercise all the rights and privileges of a natural person in contracting and being contracted with, and as such may sue and be sued, and may have and use a common seal and change the same at pleasure.

§ 2. Said corporation shall be under the control and management of *five directors* who shall be stockholders, but the incorporators herein, J. D. Frierson, W. H. Wintersmith and James E. Gaither are hereby constituted and appointed a board of commissioners to open books for subscription of stock of said corporation, and shall act as directors thereof until the first Monday in July, 1888, and until their successors are elected and qualified. There shall be an election of directors on the last-named date by the majority in value of stock, and every two years thereafter. In a case of a vacancy for any cause, the remaining directors may fill the same. T hey shall elect one of their number president, who may appoint such other officers, agents and employes as may be necessary for the conduct of the business proposed, subject to the approval of the board of directors, who shall also prescribe and accept such bond of said agents, em-

ployes or officers as may be required under the by-laws of the company.

§ 3. A majority of the directors shall constitute a quorum for the transaction of business.

§ 4. The stock of the corporation shall be deemed personal property and shall be transferred on the books of the company only by the stockholder, his agent or attorney.

§ 5. Said corporation may guarantee and enter as surety on any bond or other written obligation for the faithful conduct in the performance of the duties of officers, clerks or other employes or agents of banks, railroad companies or other duly incorporated concerns or mercantile or manufacturing establishment under the by-laws which may be established by the board of directors: *Provided, however*, That said guarantee or surety shall relate only to the conduct of said parties as regards money or other property transaction which may come under their personal control or management as such officers, agents, clerks or employes: *Provided further*, That said company shall not enter upon the powers and authority authorized by this section until $50,000 of the capital stock is subscribed for and fifty per cent. thereof paid in.

§ 6. And it is further enacted that said corporation may, and it is hereby empowered, to make collections of claims and debts of every nature against debtors in the State of Kentucky, throughout the United States and world, and may act as agents and assignee, accept mortgages and deeds of trust, institute and prosecute suits in its corporate name as such for the collection of such debts and claims and for the purpose of securing the same; and as such may sell and convey real estate for the purpose of the business herein proposed.

§ 7. The private property of the stockholders is exempt from corporate debts.

§ 8. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Kendall, were as follows, viz:

Those who voted in the affirmative, were—

A. R. Byers,	S. E. Hill,	W. F. Neat,
F. M. Clement,	H. T. Kendall,	J. N. Price,
W. M. Cravens,	L. M. Martin,	J. T. Simon,
R. G. Hays,	L. W. McKee,	R. S. Triplett—12.

Those who voted in the negative, were—

S. H. Boles,	T. S. Grundy,	J. R. W. Smith,
R. A. Burnett,	J. H. McDanell,	E. R. Sparks,
W. W. Bush,	J. W. Ogilvie,	W. H. Taulbee,
W. J. Caudill,	F. D. Rigney,	E. L. Worthington,
Henry Dixon,	D. H. Smith,	J. H. Wilson—16.
W. H. Frederick,		

So said bill was disagreed to.

A message was received from the House of Representatives asking leave to withdraw from the Senate a bill which originated in the Senate, entitled

An act to prevent the sale of any liquors within one mile of any lock or dam, or site of same, on the rivers of Kentucky.

And the question being taken on granting said request, it was decided in the negative.

Mr. Kendall moved to reconsider the vote by which the Senate had refused to grant said request.

And the question being taken thereon, it was decided in the negative.

The Senate took up for consideration the motion heretofore entered by Mr. Cravens to reconsider the vote by which the Senate had passed a bill, entitled

An act regulating the transportation of coal by railroad corporations in this Commonwealth.

[*For bill, see Senate Journal of May 13th.*]

Mr. Martin moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Simon, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	T. S. Grundy,	J. W. Ogilvie,
R. A. Burnett,	S. E. Hill,	J. N. Price,
A. R. Byers,	H. T. Kendall,	F. D. Rigney,
W. J. Caudill,	L. M. Martin,	J. T. Simon,
C. M. Clay, Jr.,	J. H. McDanell,	D. H. Smith,
F. M. Clement,	L. W. McKee,	W. H. Taulbee—20.
W. M. Cravens,	W. F. Neat,	

In the negative—none.

A message was received from the House of Representatives, announcing that they had adopted a joint resolution, entitled

Resolution providing for the burial of Joel T. Hart.

The rules being suspended, said resolution was taken up and read as follows, viz:

WHEREAS, By the action of the General Assembly of the Commonwealth of Kentucky at the session of 1883 and 1884, the remains of Joel T. Hart, the great American sculptor, were taken from the beautiful tomb on the banks of the Arno, brought to Frankfort and placed in the public vault, where they now lie unhallowed by the rites of Christian burial; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor of this Commonwealth be, and he is hereby, authorized and directed to have said remains decently interred in the cemetery at Frankfort with Kentucky's distinguished dead at such a time as it may please him to appoint, and with such ceremonies as shall be in keeping with the honor due the memory of the dead artist.

§ 2. The Auditor is hereby directed to draw his warrant on the Treasurer in favor of J. Proctor Knott for the amount expended under this resolution.

Mr. Cravens moved that the further consideration of said resolution be postponed until Saturday, May 15th, at 11 o'clock.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McDanell and Worthington, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	J. H. McDanell,	F. D. Rigney,
W. M. Cravens,	J. W. Ogilvie,	W. H. Taulbee,
W. H. Frederick,	J. N. Price,	J. H. Wilson—10.
R. G. Hays,		

Those who voted in the negative, were—

W. W. Bush,	T. S. Grundy,	J. T. Simon,
A. R. Byers,	S. E. Hill,	D. H. Smith,
W. J. Caudill,	H. T. Kendall,	J. R. W. Smith,
C. M. Clay, Jr.,	L. M. Martin,	R. S. Triplett,
F. M. Clement,	L. W. McKee,	E. L. Worthington,
Henry Dixon,	W. F. Neat,	F. T. D. Wallace—18.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	T. S. Grundy,	D. H. Smith,
W. W. Bush,	R. G. Hays,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	L. M. Martin,	R. S. Triplett,
C. M. Clay, Jr.,	J. H. McDanell,	F. T. D. Wallace,
F. M. Clement,	L. W. McKee,	E. L. Worthington,
W. M. Cravens,	J. W. Ogilvie,	J. H. Wilson—23.
W. H. Frederick,	J. N. Price,	

In the negative—none

Resolved, That the title of said resolution be as aforesaid.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill which originated in the Senate, entitled

An act providing for filling vacancies that have or may hereafter occur in the office of Judge of the Louisville Law and Equity Court.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That vacancies in the office of Judge of the Louisville Law and Equity Court, shall be filled at the same time and for the same period of vacancies and in like manner and in like occasion as vacancies in the office of Judge of the Jefferson Circuit Court.

§ 2. That this act shall apply to, and regulate the term of the present incumbent of said office of Judge of the Louisville Law and Equity Court. That as the vacancy in said office which said incumbent is now filling was and is for a period of more than one year of the unexpired term thereof, it is hereby enacted that an election shall be held to fill the remainder of the said vacancy at the next regular August election in 1886, in the same manner as the said election shall be held for the office of Judge of the Jefferson Circuit Court.

§ 3. This act shall take effect from and after its passage.

Said amendment reads as follows, viz:

Amend by striking out section 2, and inserting in lieu thereof the following, viz: "But this act shall not apply to, or in any manner affect, the term of present incumbent of said office of Judge of the Louisville Law and Equity Court."

The question was then taken on concurring in the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

W. J. Caudill,	T. S. Grundy,	J. T. Simon,
C. M. Clay, Jr.,	H. T. Kendall,	D. H. Smith,
W. M. Cravens,	L. M. Martin,	Robert Walker,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
John Feland,	J. N. Price,	F. T. D. Wallace—16.
W. H. Frederick,		

Those who voted in the negative, were—

S. H. Boles,	F. M. Clement,	J. R. W. Smith,
R. A. Burnett,	R. G. Hays,	W. H. Taulbee,
W. W. Bush,	W. F. Neat,	R. S. Triplett,
A. R. Byers,	F. D. Rigney,	J. H. Wilson—12.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Alex. G. Morgan, of Fayette county;

An act for the benefit of Joseph Crabtree, of Daviess county;

An act for the benefit of Robert B. Batte, of Henderson county;

An act to repeal all acts making it unlawful to seine and trap fish in the county of Larue and the county of Calloway;

An act for the benefit of John J. Smiley, of Pulaski county;

An act to amend chapter 84, of the General Statutes, title "Peddlers;"

An act to incorporate the Charleston, Kentucky and Western Railway Company;

An act for the benefit of W. L. Pullen, Marshal of the city of Clinton;

An act to incorporate the Little Fork Coal Company, in Carter County;

An act to authorize railroads in the State of Kentucky to change their gauge, to adopt any desired gauge and to alter the same at pleasure;

An act for the benefit of E. H. Mottley, of Warren county;

An act to amend chapter 2, title 9, of the Civil Code of Practice, by repealing certain portions thereof;

An act relating to the partition of land;

An act to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," being chapter 438, Session Acts 1883–84, and all acts amendatory thereof;

An act to incorporate the Fourth Avenue Park Railway Company;

An act to regulate official advertising in Jefferson county;

An act to establish an additional voting precinct in Logan county;

An act to change the voting place in District No. —, known as Fork's District, in Estill county;

An act to incorporate the Mt. Vernon Meeting-house and Harrisonville Turnpike Road Company, in Shelby county;

An act to amend an act to incorporate the Murphysville Turnpike Road Company, of Mason county;

An act to fix the time for holding the Common Pleas Court in the district composed of Fayette, Franklin, Jessamine, Scott and Woodford;

An act to incorporate the Harrisonville and Graffensburg Turnpike Company, in Shelby county;

An act to incorporate the Midland Railroad Company;

And enrolled bills which originated in the Senate, of the following titles, viz:

An act to regulate appeals from Quarterly, Justice and Police Courts in this Commonwealth;

An act to prevent stock from running at large in Pendleton county;

An act to better protect turnpike roads in which the State is interested;

An act to incorporate the Exchange Insurance Company, of Covington, Kentucky;

An act to prohibit the sale of spirituous, vinous and malt liquors in Ohio county;

An act to amend the charter of the town of Fordsville, in Ohio county;

An act to establish a school at Falmouth, Kentucky, with graded classes employing the property and revenues of common school district No. 1, of Pendleton county, and of the Pendleton Academy;

An act to amend section 5 of an act, entitled "An act to further regulate the retail traffic in spirituous, vinous and malt liquors and nostrums used as a beverage," approved May 5, 1880;

An act to authorize the city of Lexington to issue bonds to the amount of $30,000 for school purposes;

An act amending an act in relation to loans made by the Sinking Fund Commissioners of the city of Louisville to the city of Louisville, limiting the loan to $50,000 in any one year;

An act to amend an act, entitled "An act to amend article 6, chapter 62, of the General Statutes," approved May 6, 1880;

An act to incorporate the Covington Short Route Transfer Company;

An act to regulate the time of holding Circuit Court in the counties of the Fifteenth Judicial District;

An act to amend section 475, of the Civil Code of Practice;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had had under consideration the amendments adopted by the Senate to the several sections of a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

And that they had concurred in the adoption of all of said amendments except the following, in which they refused to concur, viz:

The amendment adopted as a substitute for article 2 of said bill.

The amendment adopted as a substitute for section 8, of article 6, of said bill.

The amendment adopted to section 27, line 58, of article 6, of said bill,

The amendment adopted to section 3, of article 7, of said bill.

The amendment striking out section 18, of article 11, of said bill.

The amendment adopted to section 19, of article 11, of said bill.

The amendment adopted to section 20, of article 11, of said bill.

The amendment adopted to section 2, of article 12, of said bill.

The amendment adopted to section 7, of article 12, of said bill.

By unanimous consent said amendments were taken up for consideration.

On motion of Mr. Gilbert,

Ordered, That each of said amendments be considered separately.

The amendment adopted by the Senate as a substitute for article 2 was then taken up for consideration.

And the question being taken, "Shall the Senate adhere to or recede from its said amendment?" it was decided that the Senate would recede therefrom.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Feland, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	John Feland,	J. W. Ogilvie,
J. W. Bryan,	G. G. Gilbert,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	E. R. Sparks,
W. W. Bush,	H. T. Kendall,	W. H. Taulbee,
F. M. Clement,	L. M. Martin,	J. H. Wilson—17.
W. M. Cravens,	W. F. Neat,	

Those who voted in the negative, were—

W. J. Caudill,	R. G. Hays,	J. R. W. Smith,
C. M. Clay, Jr.,	J. H. McDanell,	F. T. D. Wallace,
Henry Dixon,	L. W. McKee,	E. L. Worthington,
W. H. Frederick,	J. T. Simon,	R. S. Triplett—14.
T. S. Grundy,	D. H. Smith,	

The amendment to section 8, of article 6, was then taken up for consideration.

Mr. Feland moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken, "Shall the Senate adhere to or recede from the amendment?" and it was decided that the Senate would adhere to its said amendment.

The yeas and nays being required thereon by Messrs. Boles and Feland, were as follows, viz:

Those who voted in the affirmative, were—

J. W. Bryan,	G. G. Gilbert,	E. R. Sparks,
Henry Dixon,	S. E. Hill,	W. H. Taulbee,
John Feland,	J. T. Simon,	R. S. Triplett--10.
W. H. Frederick,		

Those who voted in the negative, were—

S. H. Boles,	R. G. Hays,	F. D. Rigney,
R. A. Burnett,	H. T. Kendall,	D. H. Smith,
W. W. Bush,	L. M. Martin,	J. R. W. Smith,
W. J. Caudill,	J. H. McDanell,	Robert Walker,
C. M. Clay, Jr.,	L. W. McKee,	F. T. D. Wallace,
F. M. Clement,	W. F. Neat,	E. L. Worthington,
W. M. Cravens,	J. W. Ogilvie,	J. H. Wilson—23.
T. S. Grundy,	J. N. Price,	

The amendment to section 27, of article 6, was then taken up for consideration.

Mr. J. R. W. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken, "Shall the Senate adhere to or recede from its amendment?" and it was decided in the affirmative.

The amendment to section 3, of article 7, was then taken up for consideration.

Mr. J. R. W. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken, "Shall the Senate adhere to or recede from its said amendment?" and it was decided that the Senate would adhere to its said amendment.

The yeas and nays being required thereon by Messrs. Feland and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	John Feland,	F. D. Rigney,
J. W. Bryan,	W. H. Frederick,	J. T. Simon,
W. W. Bush,	G. G. Gilbert,	J. R. W. Smith,
W. J. Caudill,	S. E. Hill,	W. H. Taulbee,
W. M. Cravens,	J. N. Price,	R. S. Triplett—16.
Henry Dixon,		

Those who voted in the negative, were—

R. A. Burnett,	H. T. Kendall,	Robert Walker,
A. R. Byers,	J. H. McDanell,	F. T. D. Wallace,
C. M. Clay, Jr.,	L. W. McKee,	E. L. Worthington,
F. M. Clement,	W. F. Neat,	J. H. Wilson.
T. S. Grundy,	J. W. Ogilvie,	J. R. Hindman—17.
R. G. Hays,	D. H. Smith,	

The amendment striking out section 18, of article 11, was then taken up for consideration.

And the question being taken, "Shall the Senate adhere to or recede from its said amendment?" it was decided that the Senate would adhere to said amendment.

The yeas and nays being required thereon by Messrs. Kendall and Burnett, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	J. R. W. Smith—5.
John Feland,	J. T. Simon,	

Those who voted in the negative, were—

R. A. Burnett,	T. S. Grundy,	J. N. Price,
W. W. Bush,	R. G. Hays,	F. D. Rigney,
A. R. Byers,	S. E. Hill,	D. H. Smith.
W. J. Caudill,	H. T. Kendall,	W. H. Taulbee,
C. M. Clay, Jr.,	L. M. Martin,	R. S. Triplett,
F. M. Clement,	J. H. McDanell,	Robert Walker,
W. M. Cravens,	L. W. McKee,	F. T. D. Wallace,
Henry Dixon,	W. F. Neat,	E. L. Worthington,
G. G. Gilbert,	J. W. Ogilvie,	J. H. Wilson—27.

The amendment to section 19, of article 11, was taken up for consideration.

And the question being taken, "Shall the Senate adhere to or recede from its said amendment?" it was decided that the Senate would adhere to said amendment.

The Senate then took up for consideration the amendment to section 20, of said article 11.

And the question being taken, "Shall the Senate adhere to or recede from its said amendment?" it was decided that the Senate would adhere to the same.

The Senate then took up for consideration the amendment to section 2, of article 12.

And the question being taken, "Shall the Senate adhere to or recede from its said amendment?" it was decided that the Senate would adhere to same.

The Senate then took up for consideration the amendment to section 7, of article 12.

And the question being taken, "Shall the Senate adhere to or recede from its said amendment?" it was decided that the Senate would adhere to same.

A message was received from the House of Representatives, asking for the appointment of a committee of conference to take into consideration the disagreement of the two houses in regard to sundry amendments adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

Whereupon, the Speaker submitted said proposition to the Senate, who directed that he appoint a committee in accordance with the request of the House of Representatives.

Whereupon, the Speaker appointed Messrs. Bryan, Gilbert and Feland on the part of the Senate.

Mr. Bryan, from the joint committee of conference, appointed to take into consideration the disagreement of the two Houses in regard to sundry amendments adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky,

Submitted the following report, viz:

The conference committee appointed by the Senate and House upon disagreements to House bill 38, make the following report upon the disagreement upon the amendment to section 8, article 6:

We recommend that all after the word "follow," in the ninth line, down to and including the word "millions," in the thirteenth line of said section, be stricken out and the following inserted in lieu thereof: "Four cents on the one hundred dollars on the first million and one and one-fourth cents on the one hundred dollars on the excess over one million."

We recommend that the House concur in Senate amendment to section 3, of article 7; to sections 18, 19 and 20, of article 11; and that the Senate recede from its amendment to section 2, of article 12.

We recommend that in lieu of section 7, of article 12, the following be inserted: That this act shall take effect from and after September 14, 1886, but it shall not operate as a repeal of existing laws as to any assessment made, licenses granted, or obligations or penalties incurred under any existing law.

W. L. JACKSON, JR.,
IRA F. SHARON.
F. P. STRAUS,
J. W. BRYAN,
G. G. GILBERT,
JOHN FELAND.

The question being on the adoption of said report.

Mr. Clay moved a division of the question.

And the question being taken thereon, it was decided in the affirmative.

The Senate then took up for consideration that part of said report which reads as follows, viz:

The conference committee appointed by the Senate and House upon the disagreement of the two houses in regard to sundry amendments adopted by the Senate to a bill which originated in the House of Representatives, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," submit the following report, viz:

Upon the disagreement to section 8, article 6, we recommend that all after the word "follows," in the ninth line of said section, down to and including the word "millions" in thirteenth line of said section be stricken out and the following inserted in lieu thereof, viz: "Four cents on the one hundred dollars on the first million and one and one-quarter cents on the one hundred dollars on the excess over one million."

Mr. Feland moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the said conference report, which relates to the amendment to section 8, of article 6, before mentioned, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Triplett and McKee, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	John Feland,	J. W. Ogilvie,
J. W. Bryan,	W H. Frederick,	J. T. Simon,
R. A. Burnett,	G. G. Gilbert,	J. R. W. Smith,
W. J. Caudill,	S. E. Hill,	W. H. Taulbee,
F. M. Clement,	L. W. McKee,	R. S. Triplett—16.
Henry Dixon,		

Those who voted in the negative, were—

W. W. Bush,	H. T. Kendall,	D. H. Smith,
A. R. Byers,	J. H. McDanell,	Robert Walker,
C. M. Clay, Jr.,	W. F. Neat,	F. T. D. Wallace,
W. M. Cravens,	J. N. Price,	E. L. Worthington,
T. S. Grundy,	F. D. Rigney,	J. H. Wilson—15.

The Senate then took up for consideration the remainder of said report, which reads as follows, viz:

"We recommend that the House concur in Senate amendments to section 3, of article 7, to sections 18, 19 and 20, of article 11, and that the Senate recede from amendment to section 2, of article 12. We recommend that in lieu of section 7, of article 12, the following be inserted: That this act shall take effect from and after September 14, 1886; but it shall not operate as a repeal of existing laws as to any assessment made, licenses granted or obligations or penalties incurred under any existing law."

And the question being taken on the adoption of the above portion of said report, it was decided in the affirmative.

And then the Senate adjourned.

SATURDAY, MAY 15, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives of the following titles, viz:

An act to authorize the town of Danville to raise money to aid in the construction of railroads.

An act to legalize certain acts where districts have voted and collected a special school tax for the purposes of tuition, and to authorize the trustees to extend school term in such districts beyond a five months' term.

An act for the benefit of A. M. Adair, of Hart county,

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the revenue laws,'" approved April 22, 1882.

An act for the benefit of Frederick Eddinger, of Jefferson county.

An act to authorize the sale of the Bethlehem Turnpike Road, in Henry county.

An act to incorporate the National Sick and Accident Fund, in Adairsville, Logan county, Kentucky.

An act to incorporate the Kentucky Life and Accident Insurance Company.

An act to incorporate the Ripple Creek Avenue Turnpike Company, in Campbell county.

An act to amend the charter of the Homestead Loan and Savings Association, approved May 12, 1884.

An act, entitled "An act to incorporate the Deposit Bank of Russellville, Ky."

An act for the benefit of Ambrose Cox, of Letcher county.

An act to incorporate the town of Mackville, in Washington county.

An act to amend an act, entitled "An act to create a Court of Common Pleas in the counties of Fayette, Bourbon, Bath, Madison, Woodford and Scott," approved February 6, 1874, by adding the county of Grant thereto, and fixing the time of holding the court in Grant county.

An act to prohibit the sale of spirituous, vinous and malt liquors within two miles of Big Meadow Church, in Metcalfe county.

An act to incorporate the Farmers' and Drovers' Bank of Eminence.

An act to repeal an act, entitled "An act prescribing the manner of selling the sulphate and other preparations of morphine and opium in this State, and for other purposes," approved February 19, 1886, and to prescribe the manner of selling the sulphate and other preparations of morphine in this State.

An act to repeal chapter 260, of the Public Acts of this session of the General Assembly, so far as the same applies to the county of Bourbon.

An act to prohibit the sale of spirituous, vinous and malt liquors in Breckinridge county.

An act providing for the redistricting of Knott county into common school districts.

An act for the benefit of the Millersburg Cemetery Company, incorporated by an act approved February 28, 1860.

An act to amend an act, entitled "An act to incorporate the Bradford and Lennoxburg Turnpike Road Company," and authorize the levying of a tax to keep said road in repair.

An act to incorporate the Pewee Valley and Floyd's Fork Turnpike Road Company.

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors and mixtures of same, and all bitters which intoxicate, in Graves county, and to provide for a vote thereon," approved February 27, 1886.

An act for the benefit of Augustus Arnett, Clerk of the Magoffin Circuit Court.

An act to provide for the compensation of members of the Board of Health of Boyd county.

An act declaring Pittman's creek, in Green and Taylor counties, a lawful fence for two years.

An act to incorporate the Western Kentucky Mining, Manufacturing and Transportation Company.

An act to amend the charter of the town of Guthrie, in Todd county, Ky., passed March 30, 1878.

An act requiring the Court of Claims of Simpson county, Kentucky, to make compensation to road overseers in said county.

An act to incorporate the Central City Deposit Bank.

An act to consolidate the Weston Electric Light Company, of Lexington, Kentucky, and the Excelsior Electric Light, Heating and Motive Power Company.

An act to amend an act, entitled "An act to amend and reduce into one all the acts and amendments to the charter of the town of Germantown, in Mason and Bracken counties."

An act incorporating the Madisonville, Providence and Clayville Railroad Company.

An act relating to the publication of the charter and ordinances of the city of Louisville.

That they had concurred in amendments adopted by the

Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of South Louisville, in Jefferson county.

An act regulating the exemption of personal property from execution, attachment, distress for rent and fee bills, in this Commonwealth.

An act for the continuation of the Geological Survey.

An act to amend section 203, of the Civil Code of Practice.

An act to incorporate the Cincinnati, Cumberland Valley and Nashville Railway Company, and to authorize certain counties to raise money to aid in the construction of a railroad by said company.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act changing the time of holding the Circuit Court in the Ninth Judicial District.

An act to incorporate the Carrollton and Louisville Railroad Company.

An act to incorporate the Deuber Watch Case and Manufacturing Company.

An act to incorporate the Pine Hill Cemetery Company, of Louisa, Lawrence county.

An act to amend an act, entitled "An act to regulate the sale of fertilizers in this Commonwealth, and to protect the agriculturists in the purchase and use of same."

An act to incorporate the Scottville and Brown's Ford or Long Creek Turnpike Road Company.

An act to incorporate the Russellville Bank.

An act to legalize seining in Simpson county.

An act to amend the charter of the Middle Trace Turnpike Road Company, Northern Division, Mason county.

An act to refund to certain manufacturers of fertilizers the license fees paid by them to the Commissioner of Agriculture from March 1st to April 13th, inclusive, 1886.

An act to regulate the jurisdiction of the Jessamine Quarterly Court.

An act for the benefit of W. G. Bullock, of Lewis county.

An act defining the duties of the Common School Superintendent of Larue county in certain cases.

An act for the benefit of George W. Hunter, of Nelson county.

An act to amend an act, entitled "An act to authorize the Trimble County Court to take stock in turnpike roads in said county."

An act to repeal chapter 417, Session Acts, 1883–4, so far as relates to the county of Magoffin.

An act to incorporate the Scottsville and Gainesville Turnpike Company.

An act to incorporate the Daviess Coal and Mining Company.

An act for the benefit of the office of Superintendent of Public Instruction.

An act to amend section 10 of an act, entitled "An act for the benefit of and to reduce into one the several acts relating to the town of Eddyville," approved January 25, 1868.

An act for the benefit of the first magisterial district of Franklin county.

An act to amend chapter 799, of the Local and Private Acts of 1869–70.

An act to amend the charter of the middle division of the Cumberland and Ohio Railroad Company.

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882.

With amendments to the three last-named bills.

Which were taken up and concurred in.

That they had passed bills of the following titles, viz:

1. An act authorizing and empowering John W. Faust, of the city of Louisville, Ky., to practice medicine in small-pox cases.

2. An act to incorporate the Union County Fair Company.

3. An act to amend an act, approved February 7, 1880, entitled "An act to amend an act, approved December 7, 1850, entitled 'An act to incorporate the Kentucky Agricultural and Mechanical Association, at Lexington.'"

4. An act for the benefit of common school district No. 50, in Mason county.

5. An act to amend an act, entitled "An act to incorporate the

Augusta, Germantown and Johnson's Junction Railroad Company."

6. An act to amend section 3, article 2, of chapter 33, of the General Statutes.

7. An act to give landlords of Simpson county a lien upon the produce of the leased premises for the rent due therefor.

8. An act to authorize the sale of the Pleasureville, Bethlehem and Kentucky River Turnpike Road Company, in Henry county.

9. An act for the benefit of Peter Abell, Jr., of Webster county.

10. An act to prevent stock from running at large in Chatham precinct, in Bracken county.

11. An act to amend the charter of the city of Ludlow, Kenton county.

12. An act to change the name of the town of Home Valley, in Muhlenberg county.

13. An act to amend an act, entitled "An act in relation to official sales in the county of Bracken and the amendments thereto."

14. An act to amend, reduce and digest into one all the acts relating to the town of Mt. Pleasant, in Harlan county.

15. An act providing for erecting at the graves of certain deceased persons memorial tablets, and providing a mode of paying for same.

16. An act to amend an act, entitled "An act to protect citizens of this Commonwealth from empiricism," approved February 23, 1874.

17. An act for the benefit of the stockholders of the Pleasureville and Sweet Home Turnpike Road, in Henry county.

18. An act for the benefit of Martha A. Everman.

19. An act for the benefit of the Trustees of Monticello Academy, in Wayne county.

20. An act to incorporate the Griffin Detective Agency.

21. An act to encourage the raising of sheep, and to provide a fund for payment to owners of sheep killed by dogs in Anderson county.

22. An act to amend an act, entitled "An act to amend an act to incorporate the Trustees of the Kentucky Baptist Education Society," approved November 25, 1851.

23. An act to systematize and make additional provisions for the government, management and discipline of the Penitentiary of Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 16th to the Committee on Public Health; the 2d to the Committee on Agriculture and Manufactures; the 6th and 14th to the Committee on General Statutes; the 9th to the Committee on Privileges and Elections; the 13th and 20th to the Committee on the Judiciary; the 18th to the Committee on Claims, and the 23d to the Committee on Penitentiary and House of Reform,

And the 3d, 4th, 6th, 7th, 8th, 10th, 11th, 12th, 15th, 17th, 19th, 21st and 22d named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

That they had passed a bill, entitled

An act to amend an act, entitled "An act to revise and amend the tax laws of the city of Louisville," approved May 12, 1884.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

That they had passed a bill which originated in the Senate, entitled

An act for the benefit of the lunatic asylums of this Commonwealth.

With an amendment thereto.

On motion of Mr. Feland,

Ordered, That the rules be suspended, and that said amendment be taken up for consideration.

And the question being taken on concurring in the adoption of said amendment, it was decided in the negative.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. McKee, from the Committee on Military Affairs—

An act to amend the charter of the town of Lawrenceburg.

By Mr. Martin, from the Committee on the Judiciary—

An act to repeal an act, entitled "An act to amend the charter of the Danville and Hustonville Turnpike Road Company."

By Mr. D. H. Smith, from the Committee on General Statutes—

An act to incorporate the town of Buffalo, in Larue county.

By Mr. Hill, from the Committee on Courts of Justice—

An act providing additional salary for the Circuit Judge of the Tenth Judicial District.

By same—

An act for the benefit of Mrs. Martha C. Lewis.

By Mr. Frederick, from the Committee on Agriculture and Manufactures—

An act to incorporate the Central Elevator Company.

By Mr. Burnett, from the Committee on General Statutes—

An act to amend an act, entitled "An act to amend an act, entitled 'An act incorporating the town of Calvert City, in Marshall county.'"

By Mr. Wilson, from the same committee—

An act to repeal section 30, of article 1, of chapter 94, of General Statutes.

By Mr. Grundy, from the Committee on Agriculture and Manufactures—

An act to regulate tolls on the Boonesboro and Comb's Ferry Turnpike Road.

By Mr. Ogilvie, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous liquor within one mile of Sacred Heart Church, in Union county.

By Mr. Caudill, from the Committee on Education—

An act to establish school district No. 62, in Meade county.

By Mr. Worthington, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the town of Bagdad, in Shelby county," approved April 16, 1884.

By Mr. Burnett, from the Committee on General Statutes—

An act to amend section 1, article 6, chapter 28, of the General Statutes.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz:

By Mr. Simon, from the Committee on General Statutes—

A bill to amend section 10, of chapter 37, of the General Statutes.

By Mr. Taulbee, from the Committee on Religion and Morals—

A bill to take the sense of the voters of Lee county on the proposition to prohibit the sale of spirituous, vinous or malt liquors in said county.

By Mr. Boles, from the Committee on Codes of Practice—

A bill to repeal an act, entitled "An act providing compensation for Circuit Court Clerks in Commonwealth cases," approved April 19, 1884.

By Mr. Feland, from the Committee on the Judiciary—

A bill to incorporate the Kentucky Pipe Line Company.

By Mr. Kendall, from the Committee on General Statutes—

A bill to prohibit the sale of spirituous, vinous and malt liquors in Meade county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had adopted the report of the joint committee of conference appointed to take into consideration the disagreement of the two Houses on an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend the revenue laws of the Commonwealth of Kentucky.

Mr. Sparks, from the Committee on Immigration and Labor, to whom was referred leave to bring in a bill, entitled

A bill to amend chapter 1346, Acts of 1883–84,

Reported the same with the expression of opinion that said bill ought to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all outstanding indebtedness incurred on account of the Kentucky display at the Louisville and New Orleans Expositions shall be presented to the State Geologist and the Commissioner of Agriculture, who shall examine into all such claims, and indorse such as they may find to be justly and rightfully due which shall, upon receiving the Governor's approval, be paid by the Treasurer upon the warrant of the Auditor: *Provided*, That these claims shall not amount in the aggregate to more than twenty-five hundred dollars.

§ 2. The Auditor of Public Accounts and the State Geologist and the Commissioner of Agriculture, are hereby authorized to dispose of such property and exhibits belonging to this display as they may find can be dispensed with or not worth preserving, and the money received from such sales shall be used in paying off the outstanding indebtedness, and any balance remaining shall be paid into the Treasury.

§ 3. This act to take effect from and after its passage.

Which bill was read the first time, and ordered to be read the second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Berry moved to amend said bill as follows, viz:

Amend by adding to section 2 "and shall pay Carl Schenck $407.22 due for work."

Mr. Burnett moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment to said bill proposed by Mr. Berry, and it was decided in the affirmative.

Mr. Hays moved to amend said bill as follows, viz:

Provided, That said claims are proven to be just and unpaid.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative, for the want of a constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	S. E. Hill,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
W. H. Frederick,	J. R. W. Smith,	J. H. Wilson—10.
R. G. Hays,		

Those who voted in the negative, were—

R. A. Burnett,	John Feland,	J. W. Ogilvie,
W. W. Bush,	G. G. Gilbert,	D. H. Smith,
W. J. Caudill,	T. S. Grundy,	E. R. Sparks,
F. M. Clement,	L. M. Martin,	E. L. Worthington,
W. M. Cravens,	L. W. McKee,	F. T. D. Wallace—15.

So said bill was rejected.

Mr. Worthington moved to reconsider the vote by which the Senate had rejected said bill.

Which motion was simply entered.

Mr. Bush read and laid on the table a joint resolution, entitled

Resolution fixing a day for the *sine die* adjournment of the General Assembly.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the session of the Legislature be extended until Thursday at 12 o'clock M., and after next Monday, the 17th, no new bills shall be entertained.

Which resolution, under the rules, lies over one day.

Mr. Bush moved that the rules be suspended, and said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Feland and Burnett, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	S. E. Hill,	E. R. Sparks,
S. H. Boles,	L. W. McKee,	W. H. Taulbee.
J. W. Bryan,	J. W. Ogilvie,	R. S. Triplett,
W. W. Bush,	J. T. Simon,	E. L. Worthington,
W. J. Caudill,	D. H. Smith,	J. H. Wilson—16.
W. M. Cravens,		

Those who voted in the negative, were—

R. A. Burnett,	G. G. Gilbert,	F. D. Rigney,
F. M. Clement,	R. G. Hays,	J. R. W. Smith.
John Feland,	L. M. Martin,	Robert Walker—11.
W. H. Frederick,	W. F. Neat,	

Mr. Taulbee, from the Committee on Claims, to whom was referred a bill which originated in the House of Representatives, entitled

An act for the benefit of Wm. S. Stone and Lewis Wahl, assistant elisors, of Daviess county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Wm. S. Stone and Lewis F. Wahl were, by order of the Daviess Circuit Court, appointed deputy or assistant elisors of said county of Daviess, in the year 1885, and the same Stone served in that capacity twenty-four days at the July term of the Daviess Criminal Court, and thirty-nine days at the September term of the Daviess Circuit Court; and said L. F. Wahl served as deputy or assistant elisor, for said county, twenty days at the July term of the Daviess Criminal Court, and thirty-nine days at the September term of the Daviess Circuit Court; for the said services they have received no compensation; therefore

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant upon the Treasurer of this State in favor of Wm. S. Stone for $94.50; and that said Auditor draw his warrant upon said Treasury in favor of Lewis F. Wahl, for $88.50, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were--

A. S. Berry,	G. G. Gilbert,	D. H. Smith,
S. H. Boles,	T. S. Grundy,	J. R. W. Smith,
J. W. Bryan,	R. G. Hays,	E. R. Sparks,
W. W. Bush,	S. E. Hill,	W. H. Taulbee,
A. R. Byers,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	L. W. McKee,	Robert Walker,
F. M. Clement,	J. W. Ogilvie,	E. L. Worthington,
W. M. Cravens,	F. D. Rigney,	J. H. Wilson—26.
W. H. Frederick,	J. T. Simon,	

Those who voted in the negative, were—

R. A. Burnett, W. F. Neat—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Taulbee, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of James B. Martin, Clerk of the Barren Circuit Court,

Reported the same without amendment thereto.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the Treasury of this Commonwealth in favor of James B. Martin for the sum of $500 as compensation to said Martin for services rendered by him as Clerk of the Barren Circuit Court in the prosecutions in said court against James B. Clark for forgery, in the years 1876, 1877, 1878, 1879, 1880, 1881 and 1882.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,
S. H. Boles,
J. W. Bryan,
W. W. Bush,
A. R. Byers,
W. J. Caudill,
W. M. Cravens,
W. H. Frederick,
G. G. Gilbert,
T. S. Grundy,
R. G. Hays,
S. E. Hill,
H. T. Kendall,
L. W. McKee,
W. F. Neat,
J. W. Ogilvie,
F. D. Rigney,
J. T. Simon,
D. H. Smith,
J. R. W. Smith,
E. R. Sparks,
W. H. Taulbee,
R. S. Triplett,
E. L. Worthington,
Robert Walker—25.

In the negative—J. N. Price—1.

Resolved, That the title of said bill be as aforesaid.

By unanimous consent of the Senate the rules were suspended and the Senate took up for consideration a bill from the House of Representatives, entitled

An act to appoint an inspector of scales and assistant weigher at coal mines in this State.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Price, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of John Baker, of Perry county.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays moved to reconsider the vote by which the Senate had passed said bill.

Mr. Caudill moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Frederick, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

A bill for the relief of such blind persons above the age of eighteen years, as desire to learn a trade with the view of maintaining themselves,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time as follows, viz:

WHEREAS, Numerous indigent blind persons throughout the State are making application to the Kentucky Manufacturing Establishment for the Blind for the privilege of learning some trade by which they can maintain themselves, and as said Establishment has no means which it can lawfully apply to the support of apprentices until such a time as they will be able to maintain themselves; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $2,000 annually be, and

the same is hereby, appropriated for the term of two years, to be paid in quarterly installments of $500, to the Kentucky Manufacturing Establishment for the Blind, to wit: On the first of July, October, January and April of each year, for the benefit of blind apprentices while learning their trades: *Provided*, Said apprentices shall receive only $75 each of said fund for the first year, and no greater sum than $50 each for the second year of his apprenticeship; and the Auditor is hereby directed to draw his warrant on the Treasury for the same.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	F. D. Rigney,
A. S. Berry,	R. G. Hays,	E. R. Sparks,
C. M. Clay, Jr.,	S. E. Hill,	W. H. Taulbee,
W. M. Cravens,	J. H. McDanell,	R. S. Triplett—13.
W. H. Frederick,		

Those who voted in the negative, were—

R. T. Albritton,	John Feland,	J. N. Price,
R. A. Burnett,	H. T. Kendall,	J. T. Simon,
W. W. Bush,	L. M. Martin,	Robert Walker,
A. R. Byers,	W. F. Neat.	F. T. D. Wallace,
W. J. Caudill,	J. W. Ogilvie,	J. H. Wilson—16.
F. M. Clement,		

Resolved, That the title of said bill be as aforesaid.

By unanimous consent, the rules of the Senate were suspended, and the Senate took up from the special orders of the day a bill from the House of Representatives, entitled

An act regulating the admission of evidence of disputed handwriting by comparison,

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in any action or prosecution, personal, civil or criminal, which is now pending or may be commenced hereafter, upon a dispute as to the genuineness of the handwriting of a person, other handwritings of such person, though

not in the case for any other purposes, may be introduced for the purpose of comparison by witness with the writing in dispute, and such writings and the testimony of witnesses respecting them, may be submitted to the court or jury as evidence concerning the genuineness of the writing in dispute: *Provided*, The genuineness of such writing shall be proved, to the satisfaction of the judge by other than opinion-evidence.

§ 2. It must be proved to the satisfaction of the judge that they were written before any controversy arose as to the genuineness of the writing in dispute, and that no fraud was practiced in their selection.

§ 3. A party proposing to introduce such writing must give reasonable notice of his intention to the opposite party or his attorney, with reasonable opportunity to examine them before commencement of the trial.

§ 4. The judge may limit the number of such writings.

§ 5. An error of the judge shall be subject to revision and correction in the same manner as if the error had been committed by the court

§ 6. That this act shall take effect from and after its passage.

Mr. Burnett moved to amend said bill as follows, viz:

Amend by adding, "This act shall not apply to any action or proceeding now pending."

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Worthington, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	J. N. Price,
J. W. Bryan,	T. S. Grundy,	F. D. Rigney,
W. W. Bush,	S. E. Hill,	E. R. Sparks,
C. M. Clay, Jr.,	L. M. Martin,	W. H. Taulbee,
Henry Dixon,	J. H. McDanell,	E. L. Worthington,
W. H. Frederick,	L. W. McKee,	F. T. D. Wallace—18.

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	J. W. Ogilvie,
S. H. Boles,	W. M. Cravens,	J. T. Simon,
R. A. Burnett,	John Feland,	J. R. W. Smith,
A. R. Byers,	R. G. Hays,	R. S. Triplett,
W. J. Caudill,	H. T. Kendall,	J. H. Wilson—15.

Resolved, That the title of said bill be as aforesaid.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, May 15, 1886.

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named persons as notaries public for the limits hereinafter designated:

R. A. Jones, Jefferson county.
Wm. Elder, Breckinridge county.
John M. Goodwin, Warren county.
John A. Sparks, Jessamine county.
John A. Larrabee, Jr., Jefferson county.

Very respectfully,

J. PROCTOR KNOTT.

Resolved, That the Senate advise and consent to said nominations.

Mr. Boles read and laid on the table a joint resolution, entitled

Resolution fixing a day for the *sine die* adjournment of the General Assembly.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the session of this General Assembly be extended and continued until Tuesday, May 18th, at 12 o'clock meridian, 1886, and that after Saturday, May 15, 1886, no new bill shall be introduced or considered or acted upon by either House of this General Assembly.

Which resolution, under the rules of the Senate, lies over one day.

Mr. Taulbee moved that the rules be suspended and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Albritton,	F. M. Clement,	W. H. Taulbee,
M. C. Alford,	W. M. Cravens,	R. S. Triplett,
S. H. Boles,	G. G. Gilbert,	F. T. D. Wallace,
J. W. Bryan,	J. H. McDanell,	E. L. Worthington,
W. W. Bush,	J. T. Simon,	J. H. Wilson—17.
W. J. Caudill,	E. R. Sparks,	

Those who voted in the negative, were—

A. S. Berry,	John Feland,	W. F. Neat,
R. A. Burnett,	T. S. Grundy,	J. N. Price,
C. M. Clay, Jr.,	H. T. Kendall,	F. D. Rigney—9.

Mr. Taulbee, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of R. M. Jackson, of Laurel county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Wilson moved that the rules be suspended and that said bill be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives asking leave to withdraw from the Senate a bill, entitled

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882.

And the question being taken on granting said request, it was decided in the affirmative, and said bill was delivered to the messenger.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, J. R. Lemon as a member of the State Board of Equalization, to fill the vacancy caused by the death of Hon. C. C. Coulter, of the First District.

I am, very respectfully,

J. PROCTOR KNOTT.

EXECUTIVE OFFICE, May 15, 1886.

By unanimous consent, the rules of the Senate were suspended.

Resolved, That the Senate advise and consent to said nominations.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to amend article 6, chapter 62, of the General Statutes," approved May 6, 1880.

An act to prevent stock from running at large in Pendleton county;

An act to prohibit the sale of vinous, spirituous and malt liquors in Ohio county.

An act amending an act in relation to loans made by the Sinking Fund Commissioners of the city of Louisville to the city of Louisville, limiting the loans to $50,000 in any one year.

An act to regulate the time for holding Circuit Courts in the counties of the Fifteenth Judicial District.

An act to incorporate the Hartford Mutual Fire Insurance Company, of Hartford, Kentucky.

An act for the benefit of Adam Rueling.

An act to prevent distillers from emptying their slops and offal into Hickman creek, in Jessamine county, approved May 1, 1886.

An act to regulate appeals from Quarterly, Justices of the Peace and Police Courts in this Commonwealth.

An act to protect turnpike roads in which the State is interested.

An act to incorporate the Owensboro Safety Vault and Trust Company.

An act to regulate continuances in criminal and penal cases.

An act to amend chapter 799, of the Local and Private Acts, 1869–70.

An act to authorize precinct No. 1, in Larue county, to subscribe for stock in the Hodgensville and Elizabethtown Railway Company.

An act to amend an act, entitled "An act to incorporate the Atlanta Agricultural and Stock Display Association."

An act to prevent the sale of any liquors within one mile of any lock or dam, or site of same, on the rivers of Kentucky.

An act to incorporate the Exchange Insurance Company, of Covington, Kentucky.

An act to incorporate the Madison Bridge Company.

An act to prohibit and punish certain trespassing in Simpson county.

An act concerning the deposits of the Sinking Fund of the city of Louisville.

An act to amend section 553, of the Civil Code of Practice.

An act providing for filling vacancies that have or may hereafter occur in the office of Judge of the Louisville Law and Equity Court.

An act to amend an act to incorporate the Pendleton Agricultural and Mechanical Association, approved March 16, 1878.

An act to limit the amount of the indebtedness of Gallatin county for turnpike purposes.

An act to amend section 4, of article 31, of chapter 29, of the General Statutes.

An act to amend the charter of the town of Fordsville, in Ohio county.

An act to amend section 475, of the Civil Code of Practice.

An act to incorporate the Covington Short Route Transfer Railway Company.

An act to amend section 5 of an act, entitled "An act to further regulate the retail traffic in spirituous, vinous and malt liquors and nostrums used as a beverage," approved May 5, 1880.

An act to authorize the city of Lexington to issue bonds to the amount of $30,000 for school purposes.

An act to establish a school at Falmouth, Kentucky, with graded classes employing the property of common school district No. 1, of Pendleton county, and of Pendleton Academy.

An act to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company."

Mr. Simon, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

A bill to amend section 1, of chapter 95, of the General Statutes,

Reported the same with the expression of opinion that said bill ought to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 1, of chapter 95, of the General Statutes, be, and the same is, amended as follows: That the words "one thousand dollars" in the ninth line thereof be, and the same are, stricken out, and the following inserted in lieu thereof, to wit, "twelve hundred dollars."

§ 2. This act shall take effect and be in force from and after its passage.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Boles objected to the further reading of said bill on this day.

So said bill fell into the orders of the day.

Mr. Simon moved that the rules be suspended, and that said bill be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Price, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. M. Cravens,	F. D. Rigney,
A. S. Berry,	W. H. Frederick,	J. T. Simon,
J. W. Bryan,	T. S. Grundy,	E. R. Sparks,
W. W. Bush,	S. E. Hill,	R. S. Triplett,
A. R. Byers,	L. M. Martin,	E. L. Worthington,
C. M. Clay, Jr.,	J. W. Ogilvie,	F. T. D. Wallace—20.
F. M. Clement,	J. N. Price,	

In the negative—H. T. Kendall—1.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative, for want of a constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. T. Simon,
A. S. Berry,	G. G. Gilbert,	D. H. Smith,
J. W. Bryan,	L. M. Martin,	R. S. Triplett,
C. M. Clay, Jr.,	J. N. Price,	E. L. Worthington,
W. M. Cravens,	F. D. Rigney,	F. T. D. Wallace—15.

Those who voted in the negative, were—

S. H. Boles,	F. M. Clement,	J. R. W. Smith,
R. A. Burnett,	T. S. Grundy,	E. R. Sparks,
A. R. Byers,	S. E. Hill,	J. H. Wilson—11.
W. J. Caudill,	H. T. Kendall,	

So said bill was rejected.

Mr. Wilson moved to reconsider the vote by which the Senate had rejected said bill.

Mr. Clay moved that the Senate do now adjourn until 3 o'clock P. M.

Mr. Price moved that the Senate do now adjourn until Monday, May 17th, at 9 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Price, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	L. M. Martin,	D. H. Smith,
S. H. Boles,	J. N. Price,	J. R. W. Smith—7.
W. H. Frederick,		

Those who voted in the negative, were—

M. C. Alford,	W. M. Cravens,	J. T. Simon,
J. W. Bryan,	John Feland,	E. R. Sparks,
R. A. Burnett,	T. S. Grundy,	W. H. Taulbee,
W. W. Bush,	S. E. Hill,	R. S. Triplett,
A. R. Byers,	H. T. Kendall,	F. T. D. Wallace.
W. J. Caudill,	L. W. McKee,	E. L. Worthington,
C. M. Clay, Jr.,	J. W. Ogilvie,	J. H. Wilson—23.
F. M. Clement,	F. D. Rigney,	

The question was then taken on the motion made by Mr. Clay, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	John Feland,	J. W. Ogilvie,
A. S. Berry,	W. H. Frederick,	F. D. Rigney,
S. H. Boles,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
W. J. Caudill,	L. M. Martin,	R. S. Triplett,
C. M. Clay, Jr.,	L. W. McKee,	E. L. Worthington,
F. M. Clement,	W. F. Neat,	F. T. D. Wallace—25.
W. M. Cravens,		

Those who voted in the negative, were—

A. R. Byers, J. N. Price, J. H. Wilson—3.

And then the Senate adjourned until 3 o'clock P. M.

The Senate met pursuant to adjournment.

The Senate took up for consideration the motion heretofore entered by Mr. Bryan to reconsider the vote by which the Senate had disagreed to a bill which originated in the House of Representatives, entitled

An act to amend chapter 53, of the General Statutes, title "Idiots and Lunatics."

Mr. Wilson moved to lay said motion on the table.

Mr. Wilson asked to be excused from voting on said question.

Mr. Burnett moved that Mr. Wilson be excused.

And the question being taken thereon, it was decided in the negative.

Mr. Wilson, being present, was indicated and refused to vote on said motion.

Mr. Burnett asked to be excused from voting on said motion.

Mr. Wilson moved that Mr. Burnett be excused.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clement and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr., G. G. Gilbert, J. H. McDanell—5.
W. H. Frederick, L. M. Martin,

Those who voted in the negative, were—

R. T. Albritton, S. E. Hill, R. S. Triplett—5.
J. W. Bryan, J. T. Simon,

Mr. Wallace asked to be excused from voting on said motion.

Mr. Wilson moved to excuse Mr. Wallace.

The yeas and nays being required thereon by Messrs. Wilson and Burnett, were as follows, viz:

Those who voted in the affirmative, were—

C. M. Clay, Jr., G. G. Gilbert, J. H. McDanell—5.
W. H. Frederick, L. M. Martin,

Those who voted in the negative, were—

S. E. Hill, R. S. Triplett—2.

The question was then taken on the motion made by Mr. Wilson to table the motion made by Mr. Bryan to reconsider the vote by which the Senate had disagreed to said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Wallace and Simon, were as follows, viz:

In the affirmative—A. S. Berry—1.

Those who voted in the negative, were—

M. C. Alford, G. G. Gilbert, J. H. McDanell,
J. W. Bryan, T. S. Grundy, L. W. McKee,
C. M. Clay, Jr., S. E. Hill, J. T. Simon,
W. H. Frederick. L. M. Martin, E. R. Sparks—12.

Mr. Wilson moved that a call of the Senate be had.

And the question being taken thereon, it was decided in the negative.

Mr. Neat, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Frank Preston, committee of Daniel Sparks, a harmless, incurable lunatic.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Frank Preston was, at the October term, 1882, of the Johnson County Court, duly appointed and qualified as committee of Daniel Sparks, a harmless, incurable lunatic of Johnson county, and the said Preston having carefully provided for said harmless, incurable lunatic for seventeen and one-third months pursuant to the order of said court by virtue of acts of the General Assembly, approved March 20, 1876, May 5, 1878, and May 5, 1880; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and is hereby, directed to draw his warrant on the Treasurer in favor of Frank Preston for the sum of one hundred dollars, payable out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall be in force from and after its passage.

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. McKee and Alford, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	T. S. Grundy,	J. R. W. Smith,
J. W. Bryan,	H. T. Kendall,	E. R. Sparks,
W. J. Caudill,	L. M. Martin,	F. T. D. Wallace,
C. M. Clay, Jr.,	W. F. Neat,	E. L. Worthington,
F. M. Clement,	J. T. Simon,	J. H. Wilson—16.
John Feland,		

In the negative—none.

By unanimous consent the rules were suspended, and said bill was taken up for consideration.

Mr. Wallace moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Berry, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

A bill for the promotion of literature and education in Kentucky,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Berry,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for to-night at 9 o'clock P. M.

In pursuance to a joint resolution heretofore adopted, the Speaker appointed Messrs. Cravens, Neat and D. H. Smith a committee to investigate the mutilation of certain bills alleged to have occurred during the present session of the General Assembly.

Mr. Byers moved to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization," approved May 10, 1884.

Which motion was simply entered.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to provide for the appointment of a commission to examine the books, papers and official records of the Auditor of Public Accounts and the State Treasurer,

[*For bill, see Senate Journal of May 12th.*]

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative, for the want of a constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	H. T. Kendall,	J. T. Simon,
J. W. Bryan,	L. M. Martin.	D. H. Smith,
C. M. Clay, Jr.,	L. W. McKee,	J. R. W. Smith,
John Feland,	W. F. Neat,	E. R. Sparks,
T. S. Grundy,	J. W. Ogilvie,	R. S. Triplett—17.
S. E. Hill,	J. N. Price,	

Those who voted in the negative, were—

R. T. Albritton,	F. M. Clement,	F. T. D. Wallace,
S. H. Boles,	W. H. Frederick,	E. L. Worthington,
R. A. Burnett,	F. D. Rigney,	J. H. Wilson—11.
W. J. Caudill,	W. H. Taulbee,	

So said bill was disagreed to.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named gentlemen Commissioners of the Eastern Kentucky Lunatic Asylum: Dr. Joseph K. Patterson, President of the Kentucky Agricultural and Mechanical College, J. Gibbons, Esq., Roger D. Williams, Esq., all of the city of Lexington.

I have also the honor to nominate, and by and with your advice and consent will appoint, Dr. Alvin Duvall, First Assistant Physician to said Asylum, to fill the vacancy caused by the resignation of Dr. W. N. Turner.

I am, respectfully,

J. PROCTOR KNOTT.

EXECUTIVE OFFICE, May 15, 1886.

By unanimous consent the rules were suspended.

Resolved, That the Senate advise and consent to said nominations.

Mr. Berry, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act to establish a State Normal School for colored persons,

Reported the same without amendment.

Mr. J. R. W. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there shall be established and maintained, as hereinafter provided, a State Normal School for colored persons, the object of which shall be the preparation of teachers for teaching in the colored public schools of Kentucky.

§ 2. In order to the establishment and maintenance of a Normal School for colored persons the Governor shall appoint, subject to approval by the Senate, three competent persons, one from each Superior Court District, who shall, in themselves and their successors, constitute a perpetual body-corporate, with power to sue and be sued, plead and be impleaded, and to hold in trust all funds and property which may be provided for said Normal School, and who shall be known and designated as the Board of Trustees of the Kentucky State Normal School of Colored Persons. The Superintendent of Public Instruction shall be *ex officio* a member of this Board.

§ 3. One member of this Board shall retire, as may be determined by lot, in one year after their appointment, and another in two years, and the remaining one in three years, whereupon, the Governor shall appoint, as aforesaid, their successors for a period of three years. All vacancies occurring by death or resignation shall be filled by the Governor.

§ 4. Said Board of Trustees shall meet on the second Thursday in May, 1886, at the office of the Superintendent of Public Instruction, and shall organize by electing one of its number president and one secretary for a period of two years, and at this or some subsequent meeting it shall elect some suitable person outside of its number as treasurer, who, before entering on his duty, shall give bond in such a sum as the Board may prescribe.

§ 5. Said Board shall, at its first meeting, open books to receive from different parts of the State proposals for donations of grounds and buildings, or funds for the procuring of grounds and erection of buildings for said Normal School. Said Board shall locate said school at such place as shall obligate itself for the largest donation: *Provided*, That such place shall possess reasonable facilities for the success of said school.

§ 6. Said Board shall, immediately after the selection of a place of location, proceed to let a contract for the erection of suitable buildings: *Provided*, That no member of the Board be a contractor for building or furnishing any material therefor.

§ 7. Said Board shall prescribe the course of study for the said Normal School, shall select the instructors and fix their salaries, and shall determine the conditions, subject to the limitations hereinafter specified, on which pupils shall be admitted to the privileges of the school.

§ 8. Any pupil to gain admission to the privileges of instruction in the said Normal School shall be at least sixteen years of age, possess good health, give satisfactory evidence of good moral character, and sign a written pledge, to be filed with

the principal, that said applicant will, so far as practicable, teach in the colored common schools of Kentucky a period equal to twice the time spent as a pupil in said Normal School, together with such other conditions as the Board may from time to time impose. Should any pupil fail to teach the prescribed time in the colored common schools of the State, he or she shall be liable for such tuition as the Board may determine.

§ 9. Tuition in the said Normal School shall be free to all colored residents of Kentucky, who fulfill the conditions set forth in preceding section, and such other conditions as the Board may require, the Board shall fix the rate of tuition and the conditions on which pupils who are not residents of Kentucky may be admitted to the privileges of said Normal School.

§ 10. No religious tenets shall be taught in said Normal School but a high standard of Christian morality shall be observed in its management, and so far as practicable shall be inculcated in the minds of the pupils.

§ 11. The Board of Trustees shall make a biennial report to the Legislature setting forth the financial and scholastic condition of said Normal School, making such suggestions as in their opinion will improve the same, and in the years in which there is no session of the Legislature, they shall make their report to the Governor.

§ 12. The Superintendent of Public Instruction shall annually appoint a committee of three who shall, in a body or by one of their number, visit said Normal School once during each term, witness the exercises and otherwise inspect the condition of said school, and by the close of the Normal School year, they shall make a report to the Board of Trustees. The board of visitors shall be allowed their traveling expenses for their services to be paid out of the State Treasury.

§ 13. The sum of $3,000 shall be annually appropriated to pay the teachers and defray other necessary expenses in the maintenance of said Normal School, which amount shall be set apart and be known and held as the Colored Normal School Fund; and the sum of $7,000 is hereby appropriated for the erection of said Normal School building. These moneys shall be paid out of the State Treasury only on the warrant of the Auditor drawn on the order of the Board of Trustees.

§ 14. The Board of Trustees is authorized to grant, from time to time, certificates of proficiency to such teachers as shall have completed the prescribed course of study and whose moral character and disciplinary relations to said school shall be satisfactory. At the expiration of two years after graduation satisfactory evidence of professional ability to instruct and manage a school having been received, they shall be entitled to diplomas appropriate to such professional degrees as the Trustees shall confer upon them; which diplomas shall entitle them to teach in any of the colored common schools of this State.

§ 15. The members of the Board of Trustees shall each be

allowed five dollars for each day's actual service and traveling expenses, to be paid out of the State Treasury. Such Board shall pay its treasurer, if such be appointed as provided for in this act, such sums for his services as shall be reasonable and just.

§ 16. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	L. W. McKee,	E. R. Sparks,
C. M. Clay, Jr.,	W. F. Neat,	R. S. Triplett,
John Feland,	J. W. Ogilvie,	E. L. Worthington,
W H. Frederick,	J. N. Price,	J. H. Wilson—20.
T. S. Grundy,	F. D. Rigney,	

Those who voted in the negative, were—

M. C. Alford,	F. M. Clement,	L. M. Martin,
R. A. Burnett,	W. M. Cravens,	W. H. Taulbee—7.
W. J. Caudill,		

Resolved, That the title of said bill be as aforesaid.

Mr. Clay moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Bryan moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Martin, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	C. M. Clay, Jr.,	J. T. Simon,
S. H. Boles,	F. M. Clement,	J. R. W. Smith,
J. W. Bryan,	W. H. Frederick,	W. H. Taulbee,
W. J. Caudill,	J. N. Price,	R. S. Triplett—12.

Those who voted in the negative, were—

R. T. Albritton,	H. T. Kendall,	D. H. Smith,
A. R. Byers,	L. M. Martin,	E. R. Sparks,
W. M. Cravens,	L. W. McKee,	F. T. D. Wallace,
John Feland,	W. F. Neat,	E. L. Worthington,
T. S. Grundy,	F. D. Rigney,	J. H. Wilson—16.
S. E. Hill,		

Mr. Grundy, from the Committee on Public Health, to whom was referred a bill from the House of Representatives, entitled

An act to suppress and prevent the spread of pleuro-pneumonia and other infectious and contagious diseases among neat cattle in this State,

Reported the same without amendment.

Mr. Wallace moved that said bill be recommitted to the Committee on Banks and Insurance, with instructions to report the same back to the Senate on Monday, May 17th, at 12 o'clock M.

And the question being taken thereon, it was decided in the negative.

Mr. McKee moved that said bill be recommitted to the Committee on the Judiciary.

And the question being taken thereon it was decided in the negative.

Mr. Simon moved the previous question;

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any person who shall bring or cause to be brought into this State any neat cattle, knowing the same to be affected with pleuro-pneumonia or any other infectious or contagious disease, or knowing the same to have been exposed to the contagion or infection of any such disease shall be deemed guilty of a felony, and on conviction thereof, shall be punished by confinement at hard labor in the Penitentiary for not less than one year nor more than three years.

§ 2. Any person who shall keep in his possession or under his control any neat cattle, knowing the same to be affected with pleuro-pneumonia, or who shall knowingly suffer any such animal to be removed from his inclosure for any purpose or under any pretext whatever, knowing the same to be so affected, or who

with such knowledge shall willfully suffer any such cattle so affected in his possession or under his control to come in contact with or sufficiently close to the cattle of any other person to communicate said disease, shall be deemed guilty of a felony, and on conviction thereof, shall be confined at hard labor in the Penitentiary for not less than one nor more than three years.

§ 3. Every person who shall have in his possession or under his control any neat cattle which shall have been exposed to the contagion or infection of pleuro-pneumonia or any other contagious or infectious disease, knowing the same to have been so exposed, shall keep the same securely confined in an inclosure through or from which there shall be no stream or other body of water communicating with the outside, and not less than six hundred feet from any public highway or open common, or the inclosure of any other person, for at least six months next after such cattle shall have been so exposed; and any personwho shall willfully fail so to do, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined not less than one hundred nor more than one thousand dollars for each day he shall so fail, and be imprisoned in the county jail not less than three nor more than twelve months.

§ 4. Any person who shall sell, give away, or knowingly suffer to be removed from his own inclosure any animal which he may know to have been affected with pleuro-pneumonia, notwithstanding the same may appear to have recovered from said disease, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than one hundred nor more than one thousand dollars, or by imprisonment in the county jail not less than one nor more than three months, or by both such fine and imprisonment.

§ 5. It shall be the duty of the County Judge of any county, whenever complaint shall be made to him in writing and under oath that any person in his county has in his possession or under his control any neat cattle affected with pleuro-pneumonia or any other infectious or contagious disease, to issue a citation to such person to appear before him at a time and place therein mentioned, and show cause why such cattle shall not be condemned and destroyed. Said citation shall be executed by the Sheriff or any Constable or other ministerial officer of the county in the same manner as writs of summons are now required by law to be executed, and shall be made returnable not less than five nor more than ten days from the day the same shall be issued, and upon the return thereof properly executed said Judge shall cause a jury of house-holders, resident in the county and possessing all of the other qualifications of jurors now prescribed by law to be summoned to appear at the time and place mentioned in the citation, who shall be sworn to determine according to the evidence, without fear or favor, affection or ill-will, whether the facts alleged in the complaint are true, and if the jury shall find that the person complained

of has in his possession or under his control any neat cattle affected with pleuro-pneumonia or any other infectious or contagious disease, they shall state in their verdict the number and description by gender and distinguishing marks of the cattle so affected, and also the number, with like description, of any other neat cattle in the possession or under the control of the person complained of which shall have been exposed to and liable to become affected with such disease, and whether any, and if so, which, of the latter class should be destroyed; whereupon, it shall be the duty of said Judge to order that the cattle found to be so affected, together with those which the jury may have found so liable to be affected by such disease that they should be destroyed, shall be forthwith killed and buried or burned. specifying the number and description by gender and distinguishing marks of those thus to be destroyed, which order shall be directed to the Sheriff, Coroner or any Constable or other ministerial officer of the county commanding such officer in the name of the Commonwealth to carry the same into immediate execution, and make return thereof to said Judge, with a statement of the manner of executing the same, and an itemized account of the expenses incurred therein, which shall be taxed with the other costs of the proceeding against the person complained of, and collected as costs in other cases are collected by law.

§ 6. Upon complaint in writing and under oath to the County Judge of any county that any person in his county is knowingly and willfully violating any of the provisions of the third section of this act, specifying in what such violation consists, such proceedings as are provided for in the last preceding section shall at once be had, and if the jury shall find the facts alleged in the complaint to be true, the said judge shall order the cattle with regard to which the complaint shall have been made, and which shall be designated in the verdict of the jury, to be forthwith killed and burned or buried at the expense of the person so complained of. The method of procedure herein to conform as near as may be to the provisions of the last preceding section, and nothing in this or in the last preceding section, nor any proceeding which may be had under either, shall be construed or in anywise held to interfere with or affect any prosecution by indictment of any one charged with a violation of any of the provisions of this act.

§ 7. The following fees shall be allowed for services rendered under either of the last two preceding sections:

To County Judge	for issuing citations	$ 25
" "	each day attending the trial	1 00
" "	issuing order for destruction of cattle	25
" "	issuing each subpœna for witnesses	10
To Sheriff or other officer	for serving citations	50
" "	summoning jury	1 00
" "	executing each subpœna	10
" "	executing order of the Judge, in addition to the necessary expenses incurred therein, for each head	50
To the jury, where a verdict shall be rendered against the defendant, per day to each juror		50
To each witness for each day's actual attendance		50

And in case the jury find the facts stated in the complaint not sustained by the evidence, the County Judge shall make out a detailed statement of the costs of the proceeding, which shall be presented to the Court of Claims and allowed and paid as other claims against the county.

§ 8. The owner or other person in possession or having the control of any inclosure or building in which any neat cattle affected with pleuro-pneumonia or other infectious or contagious disease shall have been kept for twenty-four hours or over shall not suffer the same to be occupied by any other neat cattle whatever until after the expiration of six months from the removal of such affected cattle therefrom, and any person violating the provisions of this section shall be deemed guilty of a misdemeanor and punished by a fine of not less than one hundred no more than one thousand dollars or by imprisonment in the county jail not less than three nor more than twelve months, or by both such fine and imprisonment.

§ 9. Whenever the Governor of this Commonwealth shall receive information that pleuro-pneumonia or any other contagious or infectious disease, to which neat cattle are liable, exists in any other State, Territory or country, he shall give notice thereof by proclamation, a copy of which shall be posted conspicuously in the office of the Sheriff, Clerk of the County Court and Clerk of the Circuit Court of each county in the State, and any person who shall hereafter propose to bring into this State any neat cattle from any State, Territory or country mentioned in such proclamation shall present to the County Judge of the county first to be entered by such cattle, a schedule containing an accurate description of each animal which he shall propose to bring into the State, giving its age, gender and distinguishing marks, and stating the name and residence, with the post-office address of the person or persons from whom the same were purchased and the date of such purchase; which schedule shall be verified by his own affidavit and shall be accompanied by the affidavits of the person from whom he purchased said cattle, and the affidavits of at least three dis-

interested persons, certified by the Judge or Clerk of some court of record under the seal thereof, to be entitled to credit to the effect that the affiants have been acquainted with the cattle mentioned in the schedule, and the locality in which they have been kept for twelve months, and that to their knowledge none of said cattle are affected with pleuro-pneumonia or any other infectious or contagious disease, and have not been, during that time, within two miles of any cattle so affected. Said Judge shall thereupon direct the Sheriff, Coroner or some other ministerial officer to summon to his aid two intelligent and discreet householders of the county, and the three shall immediately proceed to verify the accuracy of the schedule by an inspection of each animal therein mentioned, having first taken an oath to faithfully and impartially discharge that duty, and shall report in writing the result of their examinations to said Judge, and if they shall report that the descriptions contained in the schedule are correct said Judge shall indorse upon said schedule a license to the owner of the cattle therein mentioned to convey them to any point or points within the State, and deliver the same to the owner or other person in charge of the said cattle, first taking a copy thereof and of all the affidavits accompanying it, which, together with the report of the viewers above provided for, he shall file in the office of the Clerk of the County Court of his county; and any person who shall bring into this State any neat cattle from any other State, Territory or country mentioned in the proclamation of the Governor, as hereinbefore provided, without complying with the provisions of this section, shall be deemed guilty of a misdemeanor for which he may be indicted in any county into or through which he may carry such cattle, and on conviction thereof he shall be fined not less than $100 nor more than $1,000, or imprisoned in the county jail not less than three nor more than twelve months, or punished by both such fine and imprisonment, and it shall be the duty of all peace officers in this Commonwealth to give immediate notice of all violations of this or any of the preceding sections of this act which may come to their knowledge, and to have the persons so offending apprehended and held to bail for trial.

§ 10. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and Price, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	H. T. Kendall,	D. H. Smith—7.
W. M. Cravens,		

Those who voted in the negative, were—

S. H. Boles,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	L. M. Martin,	W. H. Taulbee,
A. R. Byers,	L. W. McKee,	R. S. Triplett,
W. J. Caudill,	W. F. Neat,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. W. Ogilvie,	E. L. Worthington,
F. M. Clement,	J. N. Price,	J. H. Wilson—20.
John Feland,	F. D. Rigney,	

So said bill was disagreed to.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to amend section 203, of the Civil Code of Practice;

An act to incorporate the Gudgell and McClure Turnpike Road Company, in Anderson county;

An act to amend the charter of the city of Ludlow, Kenton county;

An act for the continuation of the Geological Survey;

An act to amend the charter of the city of Covington;

An act to incorporate the Cincinnati, Cumberland Valley and Nashville Railway Company;

An act to amend the charter of the town of Prestonville;

An act to authorize and empower the city of Louisville, by its Mayor and General Council, to complete its title by purchase or condemnation to Payne street in said city for the purpose of improving same at the cost, in whole or in part, of said city;

An act to provide against dangers from carbon and petroleum oils, and to provide for gauging of oils, naptha and turpentine;

An act for the benefit of Wm. F. McIntosh, of Estill county;

An act to incorporate the Boston and Antioch Turnpike Company;

An act authorizing a sale of the Infirmary farm and buildings, in Lewis county;

An act to amend chapter 1363, of the Local and Private Acts of 1883-4, approved May 5, 1884;

An act to incorporate the German Catholic Casino Association of St. Martin's Congregation, of Louisville, Kentucky;

An act to change the boundary line between school districts Nos. 47 and 50, in Clark county;

An act to amend an act incorporating the Richmond Cemetery Company;

An act to amend an act, entitled "An act for the benefit of common school district No. 43, in Graves county;"

An act for the benefit of the graduates of the West Kentucky College, at Mayfield, Ky., and high school at Paducah;

An act to amend an act, entitled "An act to amend an act to incorporate Eminence College and other schools in Henry county," passed at the present session of the Legislature;

An act to amend the charter of the Independence and Colemansville Turnpike Road Company;

An act to amend section 13 of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886;

An act to amend an act, entitled "An act to revise and amend the charter of the city of Bowling Green," approved January 12, 1882;

An act for the benefit of James B. Martin, Clerk of the Barren Circuit Court;

An act to regulate tolls on the Boonesboro and Combs' Ferry Turnpike Road;

An act to give to landlords of Simpson county a lien upon the produce of the leased premises for the rent due therefor;

An act to amend chapter 799, of the Local and Private Acts of 1869-70;

Resolution providing for the burial of Joel T. Hart;

And enrolled bills which originated in the Senate, of the following titles, viz:

An act to prevent the sale of liquors within one mile of any lock or dam, or site of same, on the rivers of Kentucky;

An act to regulate continuances in criminal and penal cases.

An act to authorize precinct No. 1, in Larue county, to subscribe for stock in the Hodgenville and Elizabethtown Railway Company;

An act to amend an act, entitled "An act to incorporate the Atlanta Agricultural and Stock Display Association;"

An act to exempt all persons over sixty years of age residing in Simpson county from poll-tax;

An act to authorize the county of Mercer to subscribe aid to the Louisville Southern Railway Company;

An act providing for filling vacancies that have or may hereafter occur in the office of Judge of the Louisville Law and Equity Court;

An act to authorize the County Court of Allen county to subscribe stock in turnpike roads in said county;

An act for the benefit of the first magisterial district of Franklin county;

An act to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company;"

An act to amend an act, entitled "An act to reduce into one and repeal the present charter of the town of Nicholasville, and the several acts amendatory thereof," approved February 29, 1884;

An act to repeal chapter 417, Session Acts, 1883–4, so far as relates to the county of Magoffin;

An act to authorize the county of Anderson to subscribe aid to the Louisville Southern Railway Company;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

On motion of Mr. Price, the Senate then adjourned until Monday, May 17th, at 9 o'clock A. M.

MONDAY, MAY 17, 1886.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the Senate, of the following titles, viz:

An act for the benefit of T. S. Wilson, of Knox county.

An act to amend section 10, of chapter 37, of the General Statutes.

An act to amend the charter of the city of Maysville.

An act to amend section 574, of the Civil Code of Practice.

An act for the relief of the Manufacturing Establishment for the Blind.

An act for the benefit of the Board of Councilmen of the city of Frankfort.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the Frankfort Heating Company," passed at the present session.

2. An act to amend the charter of the city of Covington.

3. An act for the benefit of Robert Runyan, of Pike county.

4. An act to allow the Judge of the Grant Quarterly Court, and his successors, to appoint a clerk.

5. An act to define the responsibility of insurance companies for the acts of their agents.

6. An act to incorporate the Lebanon, Springfield and Harrodsburg Railroad Company.

7. An act for the benefit of James Dees, of Laurel county.

8. An act to incorporate the Meade County Natural Gas, Heating and Illuminating Company.

9. An act to amend an act, entitled "An act to prohibit the sale, barter, loan or traffic in spirituous, vinous or malt liquors in Boone county."

10. An act for the benefit of Robert O. Hughes, of Pulaski county.

11. An act for the benefit of Richard Taylor, of Anderson county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 2d and 4th to the Committee on the Judiciary; the 3d and 11th to the Committee on Propositions and Grievances; the 7th and 10th to the Committee on Claims; the 8th to the Committee on General Statutes, and the 9th to the Committee on Religion and Morals.

And the 1st, 5th and 6th named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. R. W. Smith read and laid on the table a joint resolution, entitled

Resolution fixing a day for the *sine die* adjournment of the General Assembly.

Said resolution reads as follows, viz:

Resolved, That this General Assembly adjourn *sine die* on Tuesday, the eighteenth day of May, 1886, at 12 M., and that no business be considered but the general appropriation bill, the enrollment of bills, the signing of bills and hearing reports from the Governor.

Which resolution, under the rules, lies over one day.

Mr. J. R. W. Smith moved that the rules be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. R. W. Smith and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	J. T. Simon,
A. R. Byers,	H. T. Kendall,	J. R. W. Smith,
W. J. Caudill,	L. M. Martin,	R. S. Triplett,
C. M. Clay, Jr.,	L. W. McKee,	E. L. Worthington,
Henry Dixon,	J. W. Ogilvie,	Robert Walker—16.
T. S. Grundy,		

Those who voted in the negative, were—

A. S. Berry,	W. M. Cravens,	D. H. Smith,
S. H. Boles,	W. H. Frederick,	W. H. Taulbee,
J. W. Bryan,	W. F. Neat,	F. T. D. Wallace,
R. A. Burnett,	J. N. Price,	J. H. Wilson—14.
F. M. Clement,	F. D. Rigney,	

A message, in writing, was received from the Governor by Mr. H. M. McCarty, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, the following named gentlemen as Railroad Commissioners, viz:

Hon. J. P. Thompson, of Marion county.
Hon. J. D. Young, of Bath county.
Hon. J. A. Spalding, of Union county.

I am, very respectfully,

J. PROCTOR KNOTT.

EXECUTIVE OFFICE, May 17, 1886.

Ordered, That the rules be suspended, and that the Senate advise and consent to said nominations.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act for the benefit of Grayson county.

An act submitting a proposition to the voters in district No. 3, in Garrard county, whether or not spirituous, vinous or malt liquors shall be sold therein.

An act to incorporate the Scottville and Brown's Ford or Long Creek Turnpike Road Company.

An act to incorporate the Scottsville and Gainesville Turnpike Company.

An act to authorize the county of Mercer to subscribe stock to the Louisville Southern Railroad Company.

An act for the benefit of J. C. Smock, of Mercer county.

An act to repeal chapter 417, Session Acts, 1883–84, so far as relates to the county of Magoffin.

An act for the benefit of the First Magisterial District, in Franklin county.

An act to authorize the County Court of Allen county to subscribe stock in turnpike roads in said county.

An act to authorize the county of Anderson to subscribe stock in aid of the Louisville Southern Railroad Company.

An act to exempt all persons over sixty years of age residing in Simpson county from paying poll-tax.

An act to amend an act, entitled "An act to reduce into one and repeal the present charter of the town of Nicholasville, and the several acts amendatory thereof," approved February 29, 1884.

An act to amend an act, entitled "An act to regulate the sale of fertilizers in this Commonwealth, and to protect the agriculturists in the purchase and use of same."

An act to amend an act to provide for rebuilding the State bridge at Rio, on Green river, in Hart county, etc.

An act to refund to certain manufacturers of fertilizers the license fees paid by them to the Commissioner of Agriculture from March 1st to April 13th, inclusive, 1886.

An act changing the time of holding the Circuit Court in the Ninth Judicial District.

An act to confirm the articles of incorporation of Loventhal Academy, and to amend and increase the powers of same.

An act for the benefit of the office of Superintendent of Public Instruction.

An act to legalize seining and trapping of fish in Simpson, Bullitt and Hart counties.

An act to incorporate the Russellville Bank.

Resolution in relation to the mutilation and disappearance of certain bills.

Resolution for the benefit of R. A. Burnett, F. M. Clement, J. H. Wilson, J. P. Newman, James Denton and R. W. Creal.

Mr. Clay asked leave to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill which originated in the House of Representatives, entitled

An act to appoint an inspector of scales and assistant weigher at coal mines in this State.

Mr. Wilson objected to granting said request.

Pending the further consideration of which, Mr. Clay moved that the rules be suspended, and that the Committee on Appropriations be permitted to report a bill, entitled

A bill for the appropriation of money.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burnett and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	J. N. Price,
R. A. Burnett,	T. S. Grundy,	F. D. Rigney,
A. R. Byers,	S. E. Hill,	J. R. W. Smith,
W. J. Caudill,	L. M. Martin,	R. S. Triplett,
C. M. Clay, Jr.,	L. W. McKee,	Robert Walker,
F. M. Clement,	W. F. Neat,	J. H. Wilson—20.
W. M. Cravens,	J. W. Ogilvie,	

Those who voted in the negative, were—

J. W. Bryan,	D. H. Smith,	E. L. Worthington,
Henry Dixon,	E. R. Sparks,	F. T. D. Wallace—8.
J. T. Simon,	W. H. Taulbee,	

Mr. Taulbee moved that the rules be suspended, and that the Senate take up for consideration a joint resolution which originated in the House of Representatives, entitled

Resolution extending the present session of the General Assembly.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Taulbee and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	D. H. Smith,
A. S. Berry,	H. T. Kendall,	W. H. Taulbee,
J. W. Bryan,	L. M. Martin,	R. S. Triplett,
C. M. Clay, Jr.,	L. W. McKee,	E. L. Worthington,
Henry Dixon,	J. W. Ogilvie,	F. T. D. Wallace—17.
T. S. Grundy,	J. T. Simon,	

Those who voted in the negative, were—

S. H. Boles,	F. M Clement,	J. N. Price,
R. A. Burnett,	W. M. Cravens,	F. D. Rigney,
A. R. Byers,	W. H. Frederick,	J. R. W. Smith,
W. J. Caudill,	W. F. Neat,	J. H. Wilson—12.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate:

I have the honor to nominate, and by and with your advice and consent will appoint, Hon. John F. Davis, Commissioner of Agriculture and Horticulture and Statistics.

I am, very respectfully,

J. PROCTOR KNOTT.

EXECUTIVE OFFICE, May 17, 1886.

Ordered, That the rules be suspended and that the Senate advise and consent to said nominations.

Mr. Price, from the Committee on Appropriations, to whom was referred a bill, entitled

A bill for the appropriation of money,

Reported the same with the expression of opinion that said bill ought to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the following sums of money are hereby appropriated to the following named persons to be paid by the Treasurer out of any money in the Treasury not otherwise appropriated, upon the warrant of the Auditor of Public Accounts:

§ 2. To the ministers of the gospel of Frankfort for their services in opening the Senate and House of Representatives with prayer during the present session the sum of $350, to be drawn by Willis Ringo and distributed equally among them.

§ 3. To Guy Barrett for daily newspapers furnished the General Assembly during the present session the sum of $1,664.19.

§ 4. To the Capital for daily papers laid on the desks of the members of the General Assembly during the present session the sum of $600.

§ 5. To the Enrolling Clerks of the Senate and House of Representatives $8 each per day during this session.

§ 6. To the Clerks and Assistant Clerks of the Senate and House of Representatives, and to Pat McDonald, while acting as Second Assistant Clerk of the House of Representatives, $10 each per day; to the Clerks and First Assistant Clerks of the Senate and House of Representatives $10 each per day for ten days after adjournment, to complete their work, and the same amount heretofore paid for indexing the private acts, and such other sums to such persons as the Clerks of the Senate and House of Representatives may certify to the Auditor as due them for engrossing and enrolling bills and resolutions not exceeding twenty-five cents per page.

§ 7. To the Sergeant-at-Arms of the Senate and House of Representatives each $6 per day during this session.

§ 8. To the Door-keepers of the Senate and House of Representatives each $6 per day during this session.

§ 9. To the cloak room keepers of the Senate and House of Representatives each $3 per day for the time each served during this session.

§ 10. To the pages of the Senate and House of Representatives each $3 per day during the time they attended this session, for the time each served.

§ 11. To the janitors and assistant janitors of the Senate and House of Representatives each $4 per day for the time each served during this session.

§ 12. To the Speaker of the Senate and House of Representatives each $10 per day during this session.

§ 13. To R. G. Hays, Speaker *pro tem.* of the Senate, $40 for services during this session.

§ 14. To I. A. Spalding, Speaker *pro tem.* of the House of Representatives, $55 for services rendered this session.

§ 15. To Dan Lynch, carpenter for the Senate and House of Representatives, $300 for services done at this session.

§ 16. To Walker Peters, extra services rendered in the Library during the present session, $300.

§ 17. To Amanda Butcher, for washing towels for use of Senate and House of Representatives, $20.

§ 18. To Moses Butcher, for services rendered in attending the committees in the Adjutant-General's office during this session, $30.

§ 19. To Jack Jones, assistant of the keeper of the cloak room of the House of Representatives during this session, $2 per day.

§ 20. To Robert Loomis, for services at the back capitol in addition to sums heretofore allowed him during this session, $150.

§ 21. To Meagher Bros., for articles furnished the General Assembly during this session, $1.50.

§ 22. To W. H. Averill, for articles furnished the General Assembly at this session, $6.50.

§ 23. To Holmes & Halloran, for articles furnished the General Assembly at this session, $50.80.

§ 24. To R. H. Nicol, for ice furnished the General Assembly at the present session, $109.20.

§ 25. To Thos. Hunter, for five days' services as keeper of cloak room, $15.

§ 26. To J. H. McDannell, Lewis McKee, F. M. Clement, Wm. P. Thorne, L. F. Mann, Wm. Bowman and W. M. Reed each $8.25 for expenses incurred in visiting committee to branch Penitentiary at Eddyville, during this session.

§ 27. To Wm. L. McLean, for services as stenographer rendered the committee appointed to investigate the removal of Warden South at this session, the sum of $60.

§ 28. To E. H. Taylor, Warden of the Penitentiary, for house rent paid by him for a Warden's residence during the time the Warden's residence was detained by W. T. B. South, $630.

§ 29. To Wm. Bowman, for expenses incurred while visiting the institutions for the education of the blind at Louisville, as special committee, two days, at this session, $5.

§ 30. To C. J. Norwood, for amount paid by him for printing three hundred copies of the report of the Inspectors of Mines for the years 1884 and 1885, $21.70.

§ 31. To Thomas Francis, for services as stenographer for the committee to investigate the treatment of convicts in coal mines at this session, $35.

§ 32. To J. D. Harris, E. L. Worthington and Reuben Connor, expenses incurred while acting as committee to investigate the Lunatic Asylum at Lexington, each $3.70.

§ 33. To John E. Kirtley, for mileage and *per diem*, while attending as a witness before committee to investigate the removal of W. T. B. South, $17.20.

§ 34. To James W. Bryan, F. M. Wallace and J. N. Price, for expenses incurred as committee to examine record books at Louisville at this session, each $4.

§ 35. To Morgan Chandler, editor of Times-Journal, at Campbellsville, Taylor county, for papers furnished at this session, $2.

§ 36. To Lewis Lyons, for services at the back capitol at this session, $75.

§ 37. This act shall take effect and be in force from and after its passage.

Add an additional section, as follows, viz:

§ 38. That the Chief Clerk and the First Assistant Clerk of the Senate be allowed the sum of $38 each, and the Chief Clerk and the First Assistant Clerk of the House be allowed $100 each for keeping the accounts and issuing certificates to the members, officers and employes of the two Houses.

Amend by adding as an additional section, as follows, viz:

§ 39. To the publishers of the Kentucky Yeoman, up to March 9th, for papers laid on tables of members, $150.

Amend by adding as an additional section, the following, viz:

§ 40. To the Lieutenant-Governor, mileage at the same rate as allowed members of the General Assembly.

Amend by adding as an additional section, the following, viz:

§ 41. To John Haley, for making an examination of the floor of the House of Representatives, $20.

Amend by adding an additional section as follows, viz:

§ 42. To Walter McGoodwin, $15 for his services for delivering telegrams to this General Assembly.

Amend section 11, as follows, viz: Strike out "$4" and insert "$4.50."

Amend section 27, by striking out the word "stenographer" and the words "removal of Warden South," and insert in lieu of the latter the words "Geological Survey."

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Hill moved to amend said bill as follows, viz:

Amend by striking out of section 4 "$300" and inserting in lieu thereof "$600."

And the question being taken thereon, it was decided in the affirmative.

Mr. Bryan objected to the third reading of said bill on this day.

Mr. Wilson moved that the rules be suspended and that said bill be read a third time.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. T. Simon,
A. S. Berry,	T. S. Grundy,	J. R. W. Smith,
S. H. Boles,	S. E. Hill,	W. H. Taulbee,
R. A. Burnett,	L. M. Martin,	R. S. Triplett,
A. R. Byers,	L. W. McKee,	Robert Walker,
W. J. Caudill,	W. F. Neat,	F. T. D. Wallace,
C. M. Clay, Jr.,	J. W. Ogilvie,	E. L. Worthington,
F. M. Clement,	J. N. Price,	J. H. Wilson—26.
W. M. Cravens,	F. D. Rigney,	

Those who voted in the negative, were—

J. W. Bryan,	D. H. Smith,	E. R. Sparks—4.
Henry Dixon,		

The constitutional provision as to the third reading of said bill being dispensed with,

Mr. D. H. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W. H. Frederick,	F. D. Rigney,
J. W. Bryan,	S. E. Hill,	J. T. Simon,
W. J. Caudill,	L. M. Martin,	J. R. W. Smith,
F. M. Clement,	L. W. McKee,	W H. Taulbee,
W. M. Cravens,	W. F. Neat,	E. L. Worthington,
Henry Dixon,	J. W. Ogilvie,	R. S. Triplett—18.

Those who voted in the negative, were—

A. S. Berry,	J. N. Price,	Robert Walker,
R. A. Burnett,	D. H. Smith,	J. H. Wilson—6.

Mr. Bryan moved to reconsider the vote by which the Senate ordered the previous question.

Mr. D. H. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

S. H. Boles,	W H. Frederick,	F. D. Rigney,
J. W. Bryan,	S. E. Hill,	J. T. Simon,
R. A. Burnett,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	L. M. Martin,	W. H. Taulbee,
W. J. Caudill,	L. W. McKee,	R. S. Triplett,
C. M. Clay, Jr.,	W. F. Neat,	E. L. Worthington,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—23.
W. M. Cravens,	J. N. Price,	

Those who voted in the negative, were—

A. S. Berry,	D. H. Smith,	Robert Walker—3.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	Henry Dixon,	F. D. Rigney,
A. S. Berry,	G. G. Gilbert,	J. T. Simon,
S. H. Boles,	J. D. Harris,	D. H. Smith,
J. W. Bryan,	S. E. Hill,	J. R. W. Smith,
R. A. Burnett,	H. T. Kendall,	E. R. Sparks,
A. R. Byers,	L. M. Martin,	W. H. Taulbee,
W. J. Caudill,	L. W. McKee,	R. S. Triplett,
C. M. Clay, Jr.,	W. F. Neat,	F. T. D. Wallace,
F. M. Clement,	J. W. Ogilvie,	E. L. Worthington,
W. M. Cravens,	J. N. Price,	J. H. Wilson—30.

In the negative—Robert Walker—1.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the motion heretofore entered by Mr. Worthington to reconsider the vote by which the Senate had refused to concur in the adoption of a joint resolution from the House of Representatives, entitled

Resolution extending the present session of the General Assembly.

[*For resolution, see Senate Journal, May 14th*]

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Worthing and Boles, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	J. R. W. Smith,
J. W. Bryan,	H. T. Kendall,	E. R. Sparks,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee,
C. M. Clay, Jr.,	J. H. McDanell,	R. S. Triplett,
Henry Dixon,	L. W. McKee,	Robert Walker,
G. G. Gilbert,	J. T. Simon,	E. L. Worthington,
T. S. Grundy,	D. H. Smith,	F. T. D. Wallace—21.

Those who voted in the negative, were—

A. S. Berry,	F. M. Clement,	J. W. Ogilvie,
S. H. Boles,	W. M. Cravens,	J. N. Price,
R. A. Burnett,	W. H. Frederick,	F. D. Rigney,
A. R. Byers,	W. F. Neat,	J. H. Wilson—12.

Mr. Simon moved to amend said resolution as follows, viz:

Strike out "Monday, 24th," and insert "Thursday, May 20, 1886."

Mr. Wilson moved the following amendment as a substitute for said resolution, viz:

Resolved, That the General Assembly adjourn Tuesday, May 18th, at 12 o'clock M., and that no business except signing bills by Speakers be considered except by general consent.

Mr. Clay moved to amend said resolution as follows, viz:

Amend by striking out "Monday, May 17th, at 12 o'clock M.," and inserting "Tuesday, May 18th, at 6 o'clock P. M."

Mr. Alford moved to amend said resolution as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session be extended till to morrow, Tuesday, at high noon: *Provided*, That no bills shall be considered except the general appropriation bill and the Penitentiary bill, and the enrolling and signing of bills.

Mr. D. H. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Simon to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boles and Simon, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	G. G. Gilbert,	E. R. Sparks,
J. W. Bryan,	L. W. McKee,	E. L. Worthington,
Henry Dixon,	J. T. Simon,	F. T. D. Wallace—9.

Those who voted in the negative, were—

A. S. Berry,	W. H. Frederick,	J. N. Price,
S. H. Boles,	T. S. Grundy,	F. D. Rigney,
R. A. Burnett,	S. E. Hill,	J. R. W. Smith,
A. R. Byers,	H. T. Kendall.	W. H. Taulbee,
W. J. Caudill,	L. M. Martin,	R. S. Triplett,
C. M. Clay, Jr.,	J. H. McDanell,	Robert Walker,
F. M. Clement,	W. F. Neat,	J. H. Wilson—23.
W. M. Cravens,	J. W. Ogilvie,	

The question was then taken on the adoption of the amendment proposed by Mr. Clay to said resolution, and it was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative..

The yeas and nays being required thereon by Messrs. Price and Taulbee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	H. T. Kendall,	J. R. W. Smith,
W. J. Caudill,	L. M. Martin,	E. R. Sparks,
C. M. Clay, Jr.,	J. H. McDanell,	W. H. Taulbee,
Henry Dixon,	L. W. McKee,	R. S. Triplett,
G. G. Gilbert,	J. W. Ogilvie,	E. L. Worthington,
T. S. Grundy,	F. D. Rigney,	F. T. D. Wallace—21.

Those who voted in the negative, were—

A. S. Berry,	F. M. Clement,	J. N. Price,
S. H. Boles,	W. M. Cravens,	D. H. Smith.
R. A. Burnett,	W. H. Frederick,	J. H. Wilson—11.
A. R. Byers,	W. F. Neat,	

Resolved, That the title of said resolution be as aforesaid.

The Senate took up for consideration the motion heretofore entered by Mr. Clay to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to establish a State Normal School for colored persons.

[*For bill, see Senate Journal, May 15th.*]

Mr. Berry moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boles and D. H. Smith, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	F. D. Rigney,
A. S. Berry,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	L. W. McKee,	E. R. Sparks,
Henry Dixon,	W. F. Neat,	R. S. Triplett,
G. G. Gilbert,	J. W. Ogilvie,	J. H. Wilson—17.
T. S. Grundy,	J. N. Price,	

Those who voted in the negative, were—

S. H. Boles,	F. M. Clement,	J. H. McDanell,
J. W. Bryan,	W. M. Cravens,	J. T. Simon,
R. A. Burnett,	W. H. Frederick,	D. H. Smith,
W. J. Caudill,	L. M. Martin,	W. H. Taulbee—13.
C. M. Clay, Jr.,		

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a joint resolution which originated in the House of Representatives, entitled

Resolution extending the present session of the General Assembly.

That they had passed a bill, entitled

An act to amend an act, entitled "An act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization," approved May 10, 1884.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization," approved May 10, 1884, be, and the same is hereby, amended as follows, viz: By striking out of line 2, of section 6, of said act, the words "tenth day of June" and inserting in lieu thereof the words "tenth day of February."

§ 2. This act shall take effect on September 15, 1886.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Burnett, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	F. M. Clement,	F. D. Rigney,
A. S. Berry,	W. M. Cravens,	D. H. Smith,
S. H. Boles,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
J. W. Byers,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. N. Price,	J. H. Wilson—18.

Those who voted in the negative, were—

R. T. Albritton,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	L. M. Martin,	E. R. Sparks,
C. M. Clay, Jr.,	J. H. McDanell,	Robert Walker,
Henry Dixon,	L. W. McKee,	E. L. Worthington,
G. G. Gilbert,	J. W. Ogilvie,	F. T. D. Wallace—16.
T. S. Grundy,		

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act regulating the admission of evidence of disputed handwriting by comparison;

An act to punish and make seduction a felony in this Commonwealth ;

An act for the benefit of William S. Stone and Lewis F Wahl, assistant elisors of Daviess county ;

An act to incorporate the town of South Louisville, in Jefferson county ;

An act to amend article 1, chapter 55, of the General Statutes, title "Division Fences ;"

An act to repeal an act, entitled "An act to amend the charter of the Danville and Hustonville Turnpike Road Company ;"

An act to prohibit the sale of spirituous, vinous and malt liquors, in the county of Muhlenberg ;

An act for the benefit of R. M. Jackson, of Laurel county ;

An act for the benefit of Shade Combs, of Letcher county ;

An act to repeal an act, entitled "An act to amend the charter of the Danville and Hustonville Turnpike Road Company ;"

An act regulating the exemption of personal property from execution, attachment, distress for rent and fee bills, in this Commonwealth ;

An act to amend an act, entitled "An act to incorporate the Augusta, Germantown and Johnson Junction Railroad Company ;"

An act to amend section 1, article 6, chapter 28, of the General Statutes ;

An act providing for flood-gates for mill-dams on Green river, in the counties of Lincoln and Casey ;

An act to empower the County Court of Union county to subscribe to the capital stock of turnpike and gravel roads in said county, and to purchase such roads and to issue bonds and levy taxes for those purposes ;

An act to regulate the collection of taxes in Whitley county for county purposes ;

An act to amend an act, approved February 7, 1880, entitled "An act to amend an act, approved December 7, 1850, entitled 'An act to incorporate the Kentucky Agricultural and Mechanical Association, at Lexington ;'"

An act to amend the charter of the town of Lawrenceburg ;

An act for the benefit of Mrs. Martha C. Lewis ;

An act to amend an act, entitled "An act to amend and re-

form the common school laws of this Commonwealth," chapter 1330, approved May 12, 1884;

An act to repeal section 30, of article 1, chapter 94, of the General Statutes;

An act to incorporate the town of Buffalo, in Larue county;

An act to incorporate the Simpsonville and Long Run Turnpike Company;

An act to authorize the sale of the Pleasureville, Bethlehem and Kentucky River Turnpike Road, in Henry county;

An act to amend an act, entitled "An act to amend an act, entitled 'An act incorporating the town of Calvert City, in Marshall county;'"

An act to establish an additional magisterial district in Wayne county.

An act to amend an act, entitled "An act to incorporate the town of Bagdad, in Shelby county," approved April 16, 1884;

An act to incorporate the Central Kentucky Mutual Insurance Company;

An act providing for the erecting at the graves of certain deceased persons memorial tablets, and providing a mode of paying for same;

An act to prohibit the sale of spirituous liquors within one mile of Sacred Heart Church, in Union county;

An act to prohibit the sale of liquors within 1,000 yards of Thompson's depot or station, on the Ohio Valley Railway Company, in Union county;

An act for the benefit of the stockholders of the Pleasureville and Sweet Home Turnpike Road, in Henry county;

An act to establish school district No. 62, in Meade county;

An act for the benefit of the Trustees of Monticello Academy, in Wayne county;

An act to provide additional salary for the Circuit Judge of the Tenth Judicial District;

An act to prevent stock from running at large in Chatam precinct, in Bracken county;

An act to incorporate the Co-operative Mining and Manufacturing Company, of Hopkins county;

An act to encourage the raising of sheep, and to provide a

fund for payment to owners of sheep killed or injured by dogs in Anderson county;

An act for the benefit of the graduates of the high schools of Dixon, Slaughtersville and Providence, in Webster county;

An act for the benefit of common school district No. 50, in Mason county;

An act to incorporate the Cumberland Gap and Eastern Kentucky Railway Company;

An act in relation to Franklin county;

An act to change the name of the town of Home Valley, in Muhlenberg county;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Trustees of the Kentucky Baptist Education Society,'" approved November 25, 1851;

An act to define the responsibility of insurance companies for the acts of their agents;

Resolution extending the present session of the General Assembly;

And enrolled bills and resolutions which originated in the Senate of the following titles, viz:

An act to amend chapter 29, General Statutes;

An act to amend an act, entitled "An act to provide for rebuilding the State bridge at Rio, on Green river, in Hart county," approved May 12, 1884;

An act to amend section 10 of an act, entitled "An act for the benefit of and to reduce into one the several acts relating to the town of Eddyville," approved January 25, 1868;

An act to incorporate the Deuber Watch Case and Manufacturing Company;

An act for the benefit of the office of Superintendent of Public Instruction;

An act to incorporate Pine Hill Cemetery Company, of Louisa, Lawrence county;

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882;

An act to amend the charter of the Middle Trace Turnpike Road Company, Northern Division, Mason county;

An act for the benefit of W. G. Bullock, of Lewis county;

An act for the benefit of George W. Hunter, of Nelson county;

An act defining the duties of the Common School Superintendent of Larue county, in certain cases;

An act to incorporate the Daviess Coal and Mining Company;

An act to regulate the jurisdiction of the Jessamine County Quarterly Court;

An act for the benefit of Grayson county;

An act to incorporate the Carrollton and Louisville Railroad Company;

An act to incorporate the Scottville and Brown's Ford or Long Creek Turnpike Road Company;

An act changing the time of holding the Circuit Court in the Ninth Judicial District;

An act to prohibit the sale of intoxicating liquors in Caldwell county, and providing for a vote on same;

An act to amend the charter of the middle division of the Cumberland and Ohio Railroad Company;

An act to refund to certain manufacturers of fertilizers the license fees paid by them to the Commissioner of Agriculture, from March 1 to April 13, 1886;

An act submitting a proposition to the voters in district No. 3, in Garrard county, whether or not spirituous, vinous or malt liquors shall be sold therein;

An act to amend an act, entitled "An act to regulate the sale of fertilizers in the Commonwealth, and to protect the agriculturist in purchase and use of the same;"

An act to amend an act, entitled "An act to authorize the Trimble County Court to take stock in turnpike roads in said county;"

An act to incorporate the Scottville and Gainsville Turnpike Company;

An act to legalize seining and trapping fish in Simpson, Bullitt and Hart counties;

An act to incorporate the Russellville Bank;

An act to confirm the articles of incorporation of the Loventhal Academy, and to amend and increase the powers of same;

Resolution for the benefit of R. A. Burnett, F. M. Clement, J. H. Wilson, J. P. Newman, Jas. Denton and R. W. Creal;

Resolution in relation to the mutilation and disappearance of certain bills;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Neat reported that the committee had performed that duty.

Mr. Wilson moved that the Senate do now adjourn until 4 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilson and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. M. Cravens,	F. D. Rigney,
S. H. Boles,	W. H. Frederick,	W. H. Taulbee,
R. A. Burnett,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	W. F. Neat,	J. H. Wilson—14.
F. M. Clement,	J. N. Price,	

Those who voted in the negative, were—

M. C. Alford,	T. S. Grundy,	L. W. McKee,
J. W. Bryan,	S. E. Hill,	J. T. Simon,
C. M. Clay, Jr.,	L. M. Martin,	E. L. Worthington,
Henry Dixon,	J. H. McDanell,	E. R. Sparks—13.
G. G. Gilbert,		

The Senate then adjourned until 4 o'clock P. M.

The Senate met pursuant to adjournment.

A message was received from the House of Representatives announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in the House of Representatives of the following titles, viz:

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies."

An act to amend the charter of the Shelbyville and Taylorsville Turnpike Road Company.

An act to repeal an act, entitled "An act for the protection and propagation of food-fishes in the waters of Kentucky," approved March 20, 1886.

An act to fix the time for holding the Common Pleas Court in the district composed of Fayette, Franklin, Jessamine, Scott and Woodford.

An act to amend section 342, of the Civil Code of Practice.

An act to incorporate the Franklin County and Pigeon Fork Meeting-house Turnpike Road Company.

An act repealing all acts making it unlawful to seine and trap fish in the county of Larue and the county of Calloway.

An act declaring Cypress creek, in McLean county, a navigable stream, and fixing a penalty for obstructing the same.

An act to amend the charter of the town of Pembroke, in Christian county.

An act to enable the County Court of Mason county to provide free turnpikes in Mason county.

An act to change the voting place in District No. —, known as Fork's District, in Estill county.

An act to establish an additional voting precinct in Lyon county.

An act to incorporate the Mt. Vernon Meeting-house and Harrisonville Turnpike Road Company, in Shelby county.

An act to incorporate the Harrisonville and Graffensburg Turnpike Company, in Shelby county.

An act to amend an act to incorporate the Murphysville Turnpike Road Company, of Marion county.

An act for the benefit of Charles Moffard, of Nicholas county.

An act to incorporate the Crooked Creek Turnpike Road Company, in Anderson county.

An act to amend chapter 84, of the General Statutes, title "Peddlers."

An act making the graduates of the West Kentucky Classical and Normal College, or the South Carrollton Male and Female Institute, qualified teachers in any of the public schools of the State of Kentucky.

An act to amend an act, entitled "An act to incorporate the Standard Normal University," approved April 20, 1886.

An act to amend an act, entitled "An act to incorporate the Covington and Cincinnati Pier Bridge Company," being chapter 438, of the Acts of 1883-84, and all acts amendatory thereof.

An act to incorporate the Bond's Mill and Lillard's Ferry Turnpike Road Company, in Anderson county.

That they had concurred in an amendment adopted by the Senate to a bill which originated in the House of Representatives, entitled

An act to incorporate the Hopkinsville Petroleum and Fuel Company.

That they had disagreed to a bill which originated in the Senate, entitled

An act for the benefit of the clerk of the Board of Councilmen of the city of Frankfort.

That they had passed bills which originated in the Senate of the following titles, viz:

An act to regulate tolls upon turnpikes in Henry county.

An act to incorporate the Kentucky Pipe Line Company.

An act for the benefit of W. E. Graham, of Allen county.

An act for the benefit of Hartford College.

An act to regulate the ferries on the Ohio river, at Hawesville.

An act to incorporate the Hawesville and Pellville Mineral Road.

An act to confirm the articles of incorporation of the Loventhal Academy, and to amend and increase the power of same.

An act for the benefit of John King, of Barren county, Ky.

An act for the appropriation of money.

With an amendment to the last-named bill.

Which was taken up and concurred in.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to empower Logan county to retire the bonds of said county, to create a sinking fund, to provide for commission of same, and to provide for the collection of taxes for that purpose in said county."

2. An act to empower the Lincoln County Court to levy a tax

to extend the Stanford and Hall's Gap Turnpike Road to the Pulaski county line.

3. An act for the benefit of David Conley, of Knott county.

4. An act to incorporate the town of Jellico, in Whitley county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 2d to the Committee on Agriculture and Manufactures; the 3d to the Committee on Claims, and the 4th to the Committee on General Statutes,

And the 1st named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bryan read and laid on the table a joint resolution, entitled

Resolution for the benefit of J. G. McLean.

The rule of the Senate requiring said resolution to lie over one day being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer in favor of J. G. McLean for the sum of $100 for services rendered as stenographer before the Joint Committee of House and Senate on State Prisons to investigate the removal of Warden South, he having been employed in pursuance of a joint resolution passed by the General Assembly.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Alford, from the Committee on Appropriations, to whom was referred leave to bring in a bill, entitled

A bill for the benefit of John T. Buckley,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read a first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Burnett, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to authorize the Mercer County Court to subscribe stock in any railroad company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bryan, from the Committee on Penitentiary and House of Reform, to whom was referred a bill from the House of Representatives, entitled

An act to systematize and make additional provisions for the government, management and discipline of the Penitentiary of Kentucky,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund be, and they are hereby, made *ex-officio* Directors of the Penitentiary at Eddyville, and they shall have the same powers and perform the same functions devolved upon them by existing laws as *ex-officio* Directors of the Kentucky Penitentiary, except in so far as the same may be modified by the subsequent provisions of this act: *Provided*, That said Directors shall not assume control of said Penitentiary at Eddyville until suitable arrangements, to be approved by them, shall have been made therein for the accommodation of at least 400 convicts. The Commissioners of the Sinking Fund, as *ex-officio* Directors of the Penitentiary, and the Commissioners for the erection of the

branch Penitentiary at Eddyville, acting together, are directed to immediately arrange and provide for the employment, in the erection and construction of the said branch Penitentiary at Eddyville, all the convicts who can possibly be employed in or about said work, and the said Commissioners shall immediately withdraw from the Penitentiary at Frankfort all the convicts who can possibly be used in or about said work; and the Commissioners of the Sinking Fund, as *ex officio* Directors of the Penitentiary, shall cause so many of the convicts hired without the walls of the Penitentiary to be returned to said Penitentiary at Frankfort, and confined therein, as can be under the seventeenth section of this act.

§ 2. On assuming control of the Penitentiary at Eddyville, said Directors shall appoint a warden and other officers therefor, as provided by an act, entitled "An act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 3, 1880, who shall be subject to and governed by the various provisions of said act, and any amendments thereto applicable to their respective offices, salaries, powers and duties.

§ 3. It shall be the duty of the Building Commissioners of said Penitentiary to give to said Directors at least six months' notice, in writing, of the day on which the same will be ready with sufficient rooms and accommodations for four hundred convicts or more, as the case may be, whereupon and within ten days thereafter, it shall be the duty of said Directors to give the lessees of the convict labor the notice requiring the return of the number of prisoners therein specified, as provided in section 4 of an act approved May 10, 1884, entitled "An act to amend an act, entitled 'An act to provide for the relief of the Penitentiary,'" approved May 3, 1880, and, upon the return of said prisoners, to have them conveyed to and confined in said Penitentiary at Eddyville. They shall also give notice by advertisement, published in not less than three newspapers in the State for four weeks consecutively, that they will, on and until a day to be named therein, receive sealed proposals for the hiring of the labor of all convicts in the said Penitentiary to be worked within the walls thereof, except such number as the said Directors may permit to be employed outside in producing or procuring such material as may be required for consumption or manufacture within the prison, reserving, however, the privilege of rejecting any and all propositions submitted in pursuance thereof. If in their judgment the best interest of the Commonwealth so requires, such letting shall be for such period of time as said Directors may deem most advantageous to the State not exceeding ten years, and in respect of the discipline, management, care and treatment of the convicts, its terms shall be made to conform as near as may be to the provisions of this act, entitled "An act to provide for the government, management and discipline of the

Kentucky Penitentiary," approved May 3, 1880: *Provided*, That no contract for the letting or hiring of said labor shall be concluded by said Directors, unless the same shall secure the State against all charge or expense on account of salaries of prison officers, pay of guards, feeding, clothing, lodging or medical care of the convicts, rewards for the return of escaped convicts or other current expenditures in the management of the prison during the term for which the convict labor shall be let to hire. If the said Directors shall fail to secure such bid under the foregoing provisions as they may deem best to accept, they may, by private contract, subject always to the foregoing proviso and the limitation in this section above prescribed, let to hire the convict labor to be employed within the walls of said Penitentiary for such period of time, not exceeding ten years, as in their judgment the best interest of the Commonwealth may require. And in making any such contract, they are authorized to include all the labor to be employed in the Penitentiary at Frankfort on the same terms, for the same period of time and subject to the same limitations, exceptions and the proviso hereinbefore made, to take effect immediately upon the determination of the present lease of the Mason and Foard Company: *Provided*, That in any contract which may be concluded in pursuance of the provisions of this act, the privilege of withdrawing the labor of as many convicts as the Building Commissioners may require, from time to time, in the prosecution of the work on the Penitentiary at Eddyville, shall be reserved until otherwise directed by the Legislature: *Provided*, That in making said lease, it may commence at any time that such lease may be lawfully made, and nothing herein contained shall be construed as meaning that no such lease shall be made until the period of the expiration of the present contract with the Mason and Foard Company.

§ 4. If the Directors shall fail to let or hire the labor of the convicts as hereinbefore provided, they may in their discretion defer the withdrawal of the convicts until such time as arrangements can be made for employing them inside the Penitentiary at Eddyville under the auspices of the Commonwealth; and to that end they are hereby authorized, if there be sufficient money in the Treasury not otherwise appropriated and they shall deem it to the best interest of the State, to make all necessary contracts for providing machinery, implements and material therefor, and for the disposition of all manufactured articles, as well as for the ordinary expenses of the prison; and shall make a detailed report of all items of receipt and expenditure under this section to the General Assembly at each ensuing session.

§ 5. One or more of the Directors, as the Board may direct, shall visit the Penitentiary at Eddyville and make a thorough examination and inspection thereof at least once in each month, and they shall be allowed their traveling and other reasonable

expenses in discharging their duties under this act, to be paid out of any money in the Treasury not otherwise appropriated.

§ 6. There shall be paid out of the Treasury to each convict, on his discharge from prison whether by reason of pardon or the expiration of his time of service, the sum of five dollars, in addition to the transportation and other allowances now provided by law.

§ 7. The Directors are authorized and directed, as soon as practicable after the passage of this act, to have provision made in the Penitentiary at Frankfort for the accommodation of as many convicts, in addition to those now confined therein, as possible, to be paid for out of any money in the Treasury not otherwise appropriated; and so soon as such work shall be begun the Directors shall give to the lessees of the convict labor notice to return to said Penitentiary, in six months thereafter, the number of convicts thus provided for, to be kept and worked therein under the provisions of the existing contract of lease and hiring of convict labor.

§ 8. All punishments of convicts, whether whilst at work for the State or for the lessees of the convict labor, shall be inflicted by the inspectors or other officers or employes appointed and designated by the Directors, and all such punishments shall be inflicted in the presence of the Inspectors of the Prisons, respectively.

§ 9. The Directors are hereby authorized and empowered, in their discretion, to agree to a cancellation or modification of the existing contract of lease of convict labor: *Provided*, The same can be effected without loss, expense or liability to or on the part of the State.

§ 10. All acts or parts of acts, including those passed at the present session of the General Assembly, inconsistent with the provisions of this act are hereby repealed.

§ 11. That an act, entitled "An act to provide for the relief of the Penitentiary," approved May 10, 1884, and all acts or parts of acts permitting the leasing or hiring of convicts outside the walls of the Penitentiary be, and the same are hereby, repealed.

§ 12. This act shall take effect and be in force from and after its passage.

Mr. McKee moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. McKee and Wallace, were as follows, viz:

Those who voted in the affirmative, were--

M. C. Alford,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	H. T. Kendall,	E. R. Sparks,
C. M. Clay, Jr.,	J. H. McDanell,	F. T. D. Wallace,
Henry Dixon,	L. W. McKee,	E. L. Worthington,
G. G. Gilbert,	J. W. Ogilvie,	Robert Walker—15.

Those who voted in the negative, were—

A. S. Berry,	W. M. Cravens,	D. H. Smith,
S. H. Boles,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	L. M. Martin,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. N. Price,	J. H. Wilson—17.
F. M. Clement,	F. D. Rigney,	

Mr. Berry moved to amend said bill as follows, viz:

Amend by striking out the fourth section.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McKee and Wallace, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	W. M. Cravens,	D. H. Smith,
S. H. Boles,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. N. Price,	J. H. Wilson—17.
F. M. Clement,	F. D. Rigney,	

Those who voted in the negative, were—

R. T. Albritton,	S. E. Hill,	J. T. Simon,
M. C. Alford,	L. M. Martin,	E. R. Sparks,
J. W. Bryan,	J. H. McDanell,	Robert Walker,
C. M. Clay, Jr.,	L. W. McKee,	E. L. Worthington,
Henry Dixon,	J. W. Ogilvie,	F. T. D. Wallace—16.
G. G. Gilbert,		

Mr. Grundy, being absent when the question was stated, came in pending the roll call and requested that his vote be recorded in the negative on said question.

Mr. Boles objected to granting said request.

Mr. Martin moved that the rules be suspended, and that Mr. Grundy be permitted to have his vote recorded in accordance with his request.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. D. H. Smith and McKee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	L. M. Martin,	E. R. Sparks,
J. W. Bryan,	J. H. McDanell,	R. S. Triplett,
C. M. Clay, Jr.,	L. W. McKee,	Robert Walker,
Henry Dixon,	J. W. Ogilvie,	E. L. Worthington,
G. G. Gilbert,	J. T. Simon,	F. T. D. Wallace—16.
S. E. Hill,		

Those who voted in the negative, were—

A. S. Berry,	W. M. Cravens,	F. D. Rigney,
S. H. Boles,	W. H. Frederick,	D. H. Smith,
R. A. Burnett,	H. T. Kendall,	J. R. W. Smith,
A. R. Byers,	W. F. Neat.	W. H. Taulbee,
W. J. Caudill,	J. N. Price,	J. H. Wilson—16.
F. M. Clement,		

Mr. Burnett moved that the Senate do now adjourn until Tuesday, May 18th, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. D. H. Smith and Burnett, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	F. M. Clement,	F. D. Rigney,
A. S. Berry,	W. M. Cravens,	D. H. Smith,
S. H. Boles,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. N. Price,	J. H. Wilson—18.

Those who voted in the negative, were—

R. T. Albritton,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	L. M. Martin,	E. R. Sparks,
C. M. Clay, Jr.,	J. H. McDanell,	Robert Walker,
Henry Dixon,	L. W. McKee,	E. L. Worthington,
G. G. Gilbert,	J. W. Ogilvie,	F. T. D. Wallace—16.
T. S. Grundy,		

And then the Senate adjourned until Tuesday, May 18th, at 3 o'clock P. M.

TUESDAY, MAY 18, 1886.

The Journal of yesterday was read.

Mr. Martin moved that so much of the Journal as stated that the question on the adoption of the amendment proposed on yesterday by Mr. Berry to a bill which originated in the House of Representatives, entitled

An act to systematize and make additional provisions for the government, management and discipline of the Penitentiary of Kentucky,

Was decided in the affirmative, be amended as follows, viz:

"And the question being taken thereon, the Speaker announced that the amendment was lost."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Kendall, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	J. H. McDanell,	R. S. Triplett,
J. W. Bryan,	L. W. McKee,	F. T. D. Wallace,
T. S. Grundy,	J. T. Simon,	Robert Walker—11.
L. M. Martin,	E. R. Sparks,	

Those who voted in the negative, were—

A. S. Berry,	Henry Dixon,	F. D. Rigney,
S. H. Boles,	W. H. Frederick,	D. H. Smith,
R. A. Burnett,	G. G. Gilbert,	J. R. W. Smith.
A. R. Byers,	S. E. Hill,	W. H. Taulbee.
W. J. Caudill,	H. T. Kendall,	E. L. Worthington,
F. M. Clement,	J. W. Ogilvie,	J. H. Wilson—20.
W. M. Cravens,	J. N. Price,	

Mr. Alford asked leave to have his vote changed on the Journal from the affirmative to the negative on the motion made on yesterday by Mr. Burnett that the Senate adjourn until to-day at 3 o'clock P. M.

Which was granted.

The Journal was then approved.

A message was received from the House of Representatives, announcing that they had receded from their amendment adopted to a bill which originated in the Senate, entitled

An act for the benefit of the lunatic asylums of this Commonwealth.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act for the benefit of John Baker, of Perry county.

An act for the benefit of John T. Buckley.

An act to change the county seat of Casey county.

With an amendment to the last-named bill.

Which was taken up and concurred in.

That they had concurred in the adoption of a resolution which originated in the Senate, entitled

Resolution for the benefit of J. G. McLean.

That they had adopted a joint resolution for the benefit of Mrs. S. E. Boone, of Graves county.

Said resolution was taken up and read as follows, viz:

§ 1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the sum of $555.53 cents is hereby appropriated to the benefit of Mrs. S. E. Boone, of Graves county, widow of the late Judge A. R. Boone, Railroad Commissioner, it being the amount of his salary for the residue of the year in which he died; and the Auditor is directed to draw his warrant on the Treasurer for said sum of $555.53.

§ 2. That this act shall take effect from and after its passage.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	W. H. Frederick,	J. T. Simon,
S. H. Boles,	G. G. Gilbert,	D. H. Smith,
A. S. Berry,	T. S. Grundy,	J. R. W. Smith,
J. W. Bryan,	S. E. Hill,	E. R. Sparks,
R. A. Burnett,	L. M. Martin,	W. H. Taulbee,
A. R. Byers,	J. H. McDanell,	R. S. Triplett,
W. J. Caudill,	L. W. McKee,	Robert Walker,
F. M. Clement,	W. F. Neat,	F. T. D. Wallace,
W. M. Cravens,	J. W. Ogilvie,	E. L. Worthington,
Henry Dixon,	J. N. Price,	J. H. Wilson—32.
John Feland,	F. D. Rigney,	

In the negative—none.

Resolved, That the title of said resolution be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. D. H. Smith, from the Committee on General Statutes—

An act to amend section 3, of article 5, of the General Statutes.

By Mr. McKee, from the same committee—

An act for the benefit of Richard Taylor, of Anderson county.

By Mr. Bryan, from the Committee on the Judiciary—

An act to amend the charter of the city of Covington.

By Mr. Price, from the Committee on Claims—

An act for the benefit of James Dees, of Laurel county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message, in writing, was received from the Governor, by Mr. Clarence Egbert, Private Secretary, announcing that the

Governor had approved and signed enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to amend section 10, chapter 37, General Statutes.

An act for the relief of the Manufacturing Establishment for the Blind.

An act to repeal an act, entitled "An act to amend an act providing compensation for Circuit Court Clerks in Commonwealth cases," approved April 19, 1884.

An act to incorporate the Hawesville and Pellville Mineral Road.

An act for the benefit of the Board of Councilmen of the city of Frankfort.

An act to regulate the jurisdiction of the Jessamine County Quarterly Court.

An act for the benefit of Geo. W. Hunter, of Nelson county.

An act for the benefit of Hartford College.

An act to prohibit the sale of intoxicating liquors in Caldwell county, and to provide for a vote on same.

An act to prohibit the sale of spirituous, vinous and malt liquors in Meade county.

An act to amend the charter of the city of Maysville.

An act for the benefit of James Williams, of Cumberland county.

An act to authorize the city of Newport to recover personal judgment for tolls.

An act for the benefit of Jno. T. Buckley.

An act for the benefit of John Baker, of Perry county.

An act for the benefit of the lunatic asylums of this State.

An act for the appropriation of money.

An act to amend the charter of the Middle Division of the Cumberland and Ohio Railroad Company.

An act to amend an act, entitled "An act to authorize the Trimble County Court to take stock in turnpike roads in said county."

Resolution for the benefit of J. G. McLean.

An act incorporating the Louisville Natural Gas and Heating Company.

An act for the benefit of W. E. Graham, Allen county, Kentucky.

An act to amend section 574, of the Civil Code of Practice.

An act defining the duties of the Common School Superintendent of Larue county in certain cases.

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington."

An act to amend the charter of the Middle Trace Turnpike Road Company, Northern Division, Mason county.

An act to amend section 10 of an act, entitled "An act for the benefit of and to reduce into one the several acts relating to the town of Eddyville," approved January 25, 1868.

An act to incorporate the Deuber Watch Case and Manufacturing Company.

An act to incorporate Pine Hill Cemetery Company, of Louisa, Lawrence county.

An act to incorporate the Carrollton and Louisville Railroad Company.

A message, in writing, was received from the Governor by Mr. Clarence Egbert, Private Secretary.

Said message was taken up and read as follows, viz:

Gentlemen of the Senate:

In pursuance of the provisions of an act just approved, entitled "An act for the benefit of the lunatic asylums of this Commonwealth," I have the honor to nominate and will appoint the following-named gentlemen Commissioners, as therein provided, viz: First District, S. C. Long, of Russellville; Second District, Dr. J. Q. A. Stewart, of Frankfort; Third District, L. B. Bradford, of Covington.

I have the honor to be,

Very respectfully,

J. PROCTOR KNOTT.

Ordered, That the rules be suspended and that the Senate advise and consent to said nominations.

Mr. Neat, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Hopkinsville Petroleum and Fuel Company;

An act to create the Covington Police District, in Kenton county, and to provide for the government thereof;

An act to amend an act, entitled "An act to empower Logan county to retire the bonds of said county, to create a sinking fund, to provide for commissioners of same, and to provide for the collection of taxes for that purpose in said county;"

An act to amend an act, entitled "An act to incorporate the Frankfort Heating Company," passed at the present session of the General Assembly;

An act to incorporate the Lebanon, Springfield and Harrodsburg Railroad Company;

An act to amend an act, entitled "An act to equalize assessments for revenue purposes and to provide for a State Board of Equalization," approved May 10, 1884;

An act to establish a State Normal School for colored persons;

An act to amend the revenue laws of the Commonwealth of Kentucky;

An act for the benefit of Frank Preston, Committee of Daniel Sparks, a harmless, incurable lunatic;

An act to appoint an inspector of scales and assistant weigher at coal mines in this State;

An act to amend the charter of the city of Ludlow, Kenton county;

An act to incorporate the Home School for Girls in the city of Henderson;

An act to incorporate the Central Elevator Company;

An act to authorize the Mercer County Court to subscribe stock to any railroad company;

An act for the benefit of Richard Taylor, of Anderson county;

An act to amend section 3, of article 4, of chapter 5, of the General Statutes;

An act to systematize and make additional provisions for the government, management and discipline of the Penitentiaries of Kentucky;

Resolution for the benefit of Mrs. S. E. Boone, of Graves county;

And enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to incorporate the Hawesville and Pellville Mineral Road;

An act to amend section 10, chapter 37, General Statutes;

An act to repeal an act, entitled "An act to amend an act providing compensation for Circuit Clerks in Commonwealth cases," approved April 19, 1884';

An act for the benefit of the Board of Councilmen of the city of Frankfort;

An act to amend the charter of the city of Maysville;

An act to regulate tolls upon turnpikes in Henry county;

An act for the benefit of W. E. Graham, of Allen county;

An act to authorize the city of Newport to recover personal judgment for taxes;

An act to regulate the ferries on the Ohio river at Hawesville;

An act for the benefit of Hartford College;

An act for the benefit of John King, of Barren county, Ky.;

An act to prohibit the sale of spirituous, vinous and malt liquors in Meade county;

An act for the benefit of T. S. Wilson, of Knox county;

An act to amend section 574, of the Civil Code of Practice;

An act for the benefit of the lunatic asylums of the Commonwealth;

An act for the benefit of John T. Buckley;

An act for the benefit of John Baker, of Perry county;

Resolution in favor of J. G. McLean;

An act to incorporate the Kentucky Pipe Line Company;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Neat reported that the committee had performed that duty.

The Senate took up for consideration the unfinished report of the Committee on Penitentiary and House of Reform, being a bill which originated in the House of Representatives, entitled

An act to incorporate the Hopkinsville Petroleum and Fuel Company;

An act to create the Covington Police District, in Kenton county, and to provide for the government thereof;

An act to amend an act, entitled "An act to empower Logan county to retire the bonds of said county, to create a sinking fund, to provide for commissioners of same, and to provide for the collection of taxes for that purpose in said county;"

An act to amend an act, entitled "An act to incorporate the Frankfort Heating Company," passed at the present session of the General Assembly;

An act to incorporate the Lebanon, Springfield and Harrodsburg Railroad Company;

An act to amend an act, entitled "An act to equalize assessments for revenue purposes and to provide for a State Board of Equalization," approved May 10, 1884;

An act to establish a State Normal School for colored persons;

An act to amend the revenue laws of the Commonwealth of Kentucky;

An act for the benefit of Frank Preston, Committee of Daniel Sparks, a harmless, incurable lunatic;

An act to appoint an inspector of scales and assistant weigher at coal mines in this State;

An act to amend the charter of the city of Ludlow, Kenton county;

An act to incorporate the Home School for Girls in the city of Henderson;

An act to incorporate the Central Elevator Company;

An act to authorize the Mercer County Court to subscribe stock to any railroad company;

An act for the benefit of Richard Taylor, of Anderson county;

An act to amend section 3, of article 4, of chapter 5, of the General Statutes;

An act to systematize and make additional provisions for the government, management and discipline of the Penitentiaries of Kentucky;

Resolution for the benefit of Mrs. S. E. Boone, of Graves county;

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An act for the benefit of Hartford College;

An act for the benefit of John King, of Barren county, Ky.;

An act to prohibit the sale of spirituous, vinous and malt liquors in Meade county;

An act for the benefit of T. S. Wilson, of Knox county.;

An act to amend section 574, of the Civil Code of Practice;

An act for the benefit of the lunatic asylums of the Commonwealth;

An act for the benefit of John T. Buckley;

An act for the benefit of John Baker, of Perry county;

Resolution in favor of J. G. McLean;

An act to incorporate the Kentucky Pipe Line Company;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Neat reported that the committee had performed that duty.

The Senate took up for consideration the unfinished report of the Committee on Penitentiary and House of Reform, being a bill which originated in the House of Representatives, entitled

An act to systematize and make additional provisions for the government, management and discipline of the Penitentiary of Kentucky.

[*For bill, see Senate Journal of yesterday.*]

Mr. Wilson moved to amend said bill as follows, viz:

Amend by striking out all of the bill except the title and enacting clause and the two last sections.

Mr. Burnett moved to amend said bill by striking out "ten years" wherever it occurs therein and inserting "two years" in lieu thereof.

Mr. Berry moved to amend said bill by adding to the end of the first section the following, viz: "No Commissioner of the Penitentiary shall hold stock in any company leasing the labor of the convicts, or have any personal interest in the profits arising therefrom."

Mr. Sparks moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Price and McKee, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	D. H. Smith,
J. W. Bryan,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	Robert Walker,
John Feland,	L. W. McKee,	E. L. Worthington,
G. G. Gilbert,	J. W. Ogilvie,	F. T. D. Wallace—17.
T. S. Grundy,	J. T. Simon,	

Those who voted in the negative, were—

A. S. Berry,	W. M. Cravens,	F. D. Rigney,
S. H. Boles,	W. H. Frederick,	J. R. W. Smith,
R. A. Burnett,	H. T. Kendall,	W. H. Taulbee,
A. R. Byers,	W. F. Neat,	R. S. Triplett,
W. J. Caudill,	J. N. Price,	J. H. Wilson—16.
F. M. Clement,		

The question was then taken on the adoption of the amendment proposed by Mr. Wilson, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Caudill, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	F. M. Clement,	F. D. Rigney,
S. H. Boles,	W. M. Cravens,	J. R. W. Smith,
R. A. Burnett,	W. H. Frederick,	W. H. Taulbee,
A. R. Byers,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	J. N. Price,	J. H. Wilson—15.

Those who voted in the negative, were—

M. C. Alford,	L. M. Martin,	D. H. Smith,
J. W. Bryan,	J. H. McDanell,	E. R. Sparks,
Henry Dixon,	L. W. McKee,	Robert Walker,
G. G. Gilbert,	J. W. Ogilvie,	E. L. Worthington,
T. S. Grundy,	J. T. Simon,	F. T. D. Wallace—16.
S. E. Hill,		

The question was then taken on the adoption of the amendment proposed by Mr. Burnett, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gilbert and McKee, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	F. M. Clement,	J. R. W. Smith,
S. H. Boles,	W. M. Cravens,	W. H. Taulbee,
R. A. Burnett,	W. H. Frederick,	R. S. Triplett,
A. R. Byers,	J. N. Price,	J. H. Wilson—14.
W. J. Caudill,	F. D. Rigney,	

Those who voted in the negative, were—

M. C. Alford,	H. T. Kendall,	D. H. Smith,
J. W. Bryan,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	Robert Walker,
G. G. Gilbert,	L. W. McKee,	E. L. Worthington,
T. S. Grundy,	J. T. Simon,	F. T. D. Wallace—16.
S. E. Hill,		

Paired: Neat, aye; Clay, nay.

The question was then taken on the adoption of the amendment proposed by Mr. Berry, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Burnett, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Berry,	F. M. Clement,	F. D. Rigney,
S. H. Boles,	W. M. Cravens,	J. R. W. Smith,
R. A. Burnett,	W. H. Frederick,	W. H. Taulbee,
A. R. Byers,	H. T. Kendall,	R. S. Triplett,
W. J. Caudill,	J. N. Price,	J. H. Wilson—15.

Those who voted in the negative, were—

M. C. Alford,	L. M. Martin,	D. H. Smith,
J. W. Bryan,	J. H. McDanell,	E. R. Sparks,
Henry Dixon,	L. W. McKee,	Robert Walker,
G. G. Gilbert,	J. W. Ogilvie,	E. L. Worthington,
T. S. Grundy,	J. T. Simon,	F. T. D. Wallace—16.
S. E. Hill,		

Mr. D. H. Smith moved to reconsider the vote by which the Senate had, on yesterday, defeated an amendment to strike out the fourth section of the bill proposed by Mr. Berry.

Said motion being stated to the Senate, the Senator from Henry, Mr. Cravens, arose to debate the same.

The Speaker declared the Senator out of order.

Mr. Wilson appealed from the decision of the Chair, and sent the following appeal to the Clerk's desk:

The Senate having under consideration a House bill, entitled "An act to systematize and make additional provisions for the government, management and discipline of the Kentucky Penitentiary, and the previous question having been ordered and adopted, and all amendments to the bill having been voted upon, the Senator from Larue moved to reconsider the vote by which, on yesterday, the amendment of the Senator from Campbell was adopted. The Speaker put said motion to the Senate. Whereupon, the Senator from Henry addressed the Chair to debate the motion, when the Chair decided the Senator out of order. From that decision an appeal is taken.

J. H. WILSON,
S. H. BOLES.

Mr. Hill moved to lay said appeal on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McKee and Worthington, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	D. H. Smith,
J. W. Bryan,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	Robert Walker,
John Feland,	L. W. McKee,	E. L. Worthington,
G. G. Gilbert,	J. W. Ogilvie,	F. T. D. Wallace—17.
T. S. Grundy,	J. T. Simon,	

Those who voted in the negative, were—

R. A. Burnett, W. J. Caudill, W. H. Frederick—3.

Mr. Boles raised the point of order that the motion made by Mr. D. H. Smith to reconsider the vote by which the Senate had rejected the amendment proposed by Mr. Berry on yesterday, was out of order.

The Speaker overruled said point of order.

Mr. Boles appealed from the decision of the Chair, and sent the following appeal to the Clerk's desk:

The Senate being in session and the bill or act to systematize and make additional provisions for the government, management and discipline of the Penitentiary of Kentucky, the Senator from Jessamine moved the previous question, which was ordered on the vote on the amendment offered to the bill. The Senator from Larue moved to reconsider the vote by which the amendment offered by the Senator from Campbell was adopted, striking out fourth section of the bill or act, and objections being made that said motion was out of order, the Chair overruled said motion and objection. From said decision the Senator from Barren and Knott move and take an appeal to the Senate.

S. H. BOLES,
JOHN H. WILSON.

Mr. Bryan moved to lay said appeal on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Worthington and Bryan, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	D. H. Smith,
J. W. Bryan,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	Robert Walker,
John Feland,	L. W. McKee,	E. L. Worthington,
G. G. Gilbert,	J. W. Ogilvie,	F. T. D. Wallace—17.
T. S. Grundy,	J. T. Simon,	

In the negative—none.

On the calling of the foregoing roll, Mr. Bryan indicated Messrs. Caudill, J. R. W. Smith, Wilson, Rigney and Boles, and they, being present and called, refused to vote.

The question then recurred on the motion made by Mr. D. H. Smith to reconsider the vote by which the Senate had, on yesterday, rejected the amendment proposed by Mr. Berry to strike out the fourth section of the bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bryan and Simon, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	D. H. Smith,
J. W. Bryan,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	Robert Walker,
John Feland,	L. W. McKee,	F. T. D. Wallace,
G. G. Gilbert,	J. W. Ogilvie,	E. L. Worthington,
T. S. Grundy,	J. T. Simon,	J. H. Wilson—18.

In the negative—W. J. Caudill—1.

On the calling of the foregoing roll, Mr. Bryan indicated Messrs. Burnett and Rigney, and they, being present and called, refused to vote.

The question was then taken on the adoption of said amend-

ment to strike out said fourth section of the bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bryan and Simon, were as follows, viz:

Those who voted in the affirmative, were—

W. J. Caudill, D. H. Smith—2.

Those who voted in the negative, were—

M. C. Alford,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	F. T. D. Wallace,
G. G. Gilbert,	L. W. McKee,	E. L. Worthington,
T. S. Grundy,	J. W. Ogilvie,	Robert Walker—15.

On the calling of the foregoing roll, Mr. Bryan indicated Messrs. Wilson, Triplett, Frederick, Feland, Rigney, J. R. W. Smith, Burnett, Berry, Cravens and Taulbee.

Mr. Feland, being present, asked to be excused from voting; and Messrs. Rigney, J. R. W. Smith and Burnett, being present and called, refused to vote.

Mr. Sparks moved a call of the Senate.

And the question being taken thereon, it was decided in the affirmative.

The roll of the Senate was then called, and the following Senators responded to their names, viz:

M. C. Alford,	T. S. Grundy,	J. T. Simon,
J. W. Bryan,	S. E. Hill,	D. H. Smith,
W. J. Caudill,	L. M. Martin,	E. R. Sparks,
Henry Dixon,	J. H. McDanell,	F. T. D. Wallace,
John Feland,	L. W. McKee,	E. L. Worthington,
G. G. Gilbert,	J. W. Ogilvie,	Robert Walker—18.

Messrs. Harris and Hays were absent on leave.

The Speaker of the Senate ordered the Sergeant-at-Arms to close the doors and bring in the absent Senators.

Mr. Bryan moved to dispense with further proceedings under the call.

And the question being taken thereon, it was decided in the affirmative.

Mr. Worthington moved that the rules be suspended, and that he be permitted to present and have taken up for consideration the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the General Assembly be extended until to-night, Tuesday, May 18th, at 12 P. M., at which time nothing but the Penitentiary bill shall be considered.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and a quorum of the Senate not voting thereon, said resolution fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Caudill and Burnett, were as follows, viz:

Those who voted in the affirmative, were—

M. C. Alford,	S. E. Hill,	J. T. Simon,
J. W. Bryan,	L. M. Martin,	D. H. Smith,
Henry Dixon,	J. H. McDanell,	F. T. D. Wallace,
G. G. Gilbert,	L. W. McKee,	E. L. Worthington,
T. S. Grundy,	J. W. Ogilvie,	Robert Walker—15.

In the negative—W. J. Caudill—1.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. D. H. Smith moved to reconsider the vote by which the Senate passed said bill.

Mr. Hill moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Martin moved the following resolution, viz:

Resolved, That the thanks of the Senate are hereby extended to Lieutenant-Governor Hindman, Speaker of the Senate, for the uniform courtesy and ability with which he has presided over the Senate during the deliberations of the present session.

Which was adopted.

Mr. Worthington moved the following resolution, viz:

Resolved, That the thanks of the Senate are hereby extended to our Clerks and Assistant Clerks, Door-keepers, Sergeant-at-Arms and pages for the promptness and efficiency with which they have performed their duties, and for their uniform courtesy to all the members of this body during the present session of this General Assembly. The thanks of the Senate are also extended to the ministers of the gospel of the city of Frankfort, and to Dr. John D. Woods, editor of the Capital, for their courteous attention during the session.

Which was adopted.

A message was received from the House of Representatives announcing that they had received official information that the Governor had approved and signed enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:

An act to systematize and make additional provisions for the government, management and discipline of the Penitentiary of Kentucky.

An act to amend an act incorporating the Frankfort Heating Company.

An act to amend an act, entitled "An act to empower Logan county to retire the bonds of said county, to create a sinking fund, to provide for commissioners for same, and to provide for the collection of taxes for that purpose in said county."

An act to incorporate the Lebanon, Springfield and Harrodsburg Railroad Company.

An act to amend an act to equalize assessments for revenue purposes, and to provide for a State Board of Equalization.

An act to establish a State Normal School for colored people.

An act to create the Covington Police District, in Kenton county, and to provide for the government thereof.

An act to authorize the Mercer County Court to subscribe stock in any railroad company.

An act to appoint an inspector of scales and assistant weigher at coal mines in this State.

An act to amend article 1, chapter 55, of the General Statutes, title "Division Fences."

An act regulating the admission of evidence of disputed handwriting by comparison.

An act to define the responsibility of insurance companies for the acts of their agents.

An act regulating official advertising in Jefferson county.

An act to amend section 21, of the Code of Practice in criminal cases.

An act for the benefit of Richard Taylor, of Anderson county.

An act for the benefit of R. M. Jackson, of Laurel county.

An act to amend section 3, article 4, chapter 5, of the General Statutes.

An act for the benefit of Robert Young, of Cumberland county.

An act to incorporate the Hopkinsville Petroleum and Fuel Company.

An act to amend the charter of the city of Ludlow, Kenton county.

An act to amend the revenue laws of the Commonwealth of Kentucky.

An act to provide against dangers from carbon and petroleum oils, and to provide for gauging of oils, naptha and turpentine.

An act authorizing a sale of the Infirmary farm and buildings, in Lewis county.

An act to incorporate the German Catholic Casino Association of St. Martin's Congregation, of Louisville, Ky.

An act to change the line between school districts Nos. 47 and 50, in Clark county.

An act to amend chapter 1363, of Local and Private Acts of 1883–4.

An act for the benefit of graduates at West Kentucky College, at Mayfield, Ky., and high school at Paducah.

An act to amend an act, entitled "An act for the benefit of common school district No. 43, in Graves county."

An act to regulate tolls on the Boonesboro and Combs' Ferry Turnpike Road.

An act to give to landlords in Simpson county a lien upon the produce of leased premises for the rent due therefor.

An act to incorporate the Cincinnati, Cumberland Valley and Nashville Railway Company.

An act to amend the charter of the city of Covington.

An act to incorporate the Gudgell and McClure Turnpike Road Company, in Anderson county.

An act to amend section 203, of the Civil Code of Practice.

An act to amend an act, entitled "An act to amend the act incorporating Eminence College and other schools in Henry county."

An act to amend an act incorporating the Richmond Cemetery Company.

An act to incorporate the Boston and Antioch Turnpike Company.

An act to authorize railroads in the State of Kentucky to change their gauge and adopt any desired gauge and to alter the same at pleasure.

An act to incorporate the Kentucky Midland Railroad Company.

An act for the continuance of the Geological Survey, and fixing the salary of the Geologist.

An act to amend chapter 2, title 9, of the Civil Code of Practice by repealing certain portions thereof.

An act relating to the partition of land.

An act for the benefit of James B. Martin, Clerk of the Barren Circuit Court.

An act to consolidate common school districts Nos. 83, 84 and 86 for white children, in Barren county, Kentucky.

An act to authorize and empower the city of Louisville, by its Mayor and General Council, to complete its title by purchase and condemnation to Payne street, in said city, for the purpose of improving same at the cost, in whole or in part, of said city.

Resolution providing for the burial of Joel T. Hart.

An act to incorporate the Consumers' Gas-light Company, of Covington.

An act to incorporate the Charleston, Kentucky and Western Railway Company.

An act to amend section 19, chapter 42, of the General Statutes, title "Ferries."

An act to incorporate the Clarksville and Ohio River Railroad Company.

An act to amend an act, entitled "An act to revise and amend the charter of the city of Bowling Green," approved January 2, 1882.

An act to amend the charter of the Independence and Colemansville Turnpike Road Company.

An act to amend section 13 of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886.

An act to amend the charter of the town of Prestonsville.

An act relating to branding logs on the Kentucky and Cumberland rivers and their tributaries.

An act to provide for electing and appointing commissioners for the county of Boone, and defining their duties, and the duties of other county officers whose duties are connected with the duties of said commissioners.

An act for the benefit of W. L. Pullen, Marshal of the city of Clinton.

An act for the benefit of Joseph Crabtree, of Daviess county.

An act for the benefit of E. H. Mottley, of Warren county.

An act for the benefit of the Trustees of the Jury Fund, of Marion county.

An act to amend an act, entitled "An act to incorporate the town of Fredonia."

An act to establish school district No. 62, in Meade county.

An act for the benefit of common school district No. 50, in Mason county.

An act to provide additional salary for the Circuit Judge of the Tenth Judicial District.

An act to incorporate the Central Kentucky Mutual Insurance Company.

An act for the benefit of William S. Stone and Lewis F. Wahl, deputy elisors of Daviess county.

An act to punish and make seduction a felony in this Commonwealth.

An act to amend an act incorporating the town Calvert City, in Marshall county.

An act to amend chapter 29, General Statutes.

An act to amend an act, approved February 7, 1880, entitled "An act to amend an act, approved December 7, 1850, entitled

'An act to incorporate the Kéntucky Agricultural and Mechanical Association, at Lexington.' "

An act for the benefit of Monticello Academy, in Wayne county.

An act to change the name of the town of Home Valley, in Muhlenberg county.

An act in relation to Franklin county.

An act providing for erecting at graves of certain deceased persons memorial tablets, and providing a mode of paying for same.

An act for the benefit of graduates of high schools of Dixon, Slaughtersville and Providence, in Webster county.

An act to amend an act to amend and reform the common school laws of this Commonwealth, etc.

An act regulating the exemption of personal property from execution, attachment, distress, for rent and fee bills in this Commonwealth.

An act to amend an act to amend an act to amend an act to incorporate the Trustees of the Kentucky Baptist Education Society.

An act to empower the County Court of Union county to subscribe to capital stock of turnpike and gravel roads in said county, and to purchase said roads, and to issue bonds and levy taxes for such purposes.

An act to amend an act, entitled "An act to incorporate the town of Bagdad, in Shelby county," approved April 16, 1884.

An act to prevent stock from running at large in Chatham precinct, in Bracken county.

An act to incorporate the Cumberland Gap and Eastern Kentucky Railway Company.

An act to prohibit the sale of spirituous, vinous and malt liquors in the county of Muhlenberg.

An act to establish an additional magisterial district in Wayne county.

An act to encourage the raising of sheep, and to provide a fund for payment to owners of sheep killed or injured by dogs in Anderson county.

An act for the benefit of Thompson, Wilson & Co.;

An act to incorporate the Home School for Girls, in the city of Henderson.

An act to incorporate the town of South Louisville, Jefferson county.

An act to incorporate the Central Elevator Company.

An act to amend section 1, article 6, chapter 28, of the General Statutes.

An act to incorporate the Citizens' Passenger Railway Company.

An act to prohibit the sale of spirituous liquors within one mile of Sacred Heart Church, of Union county

An act to incorporate the Simpsonville and Long Run Turnpike Company.

An act to regulate collection of taxes in Whitley county for county purposes.

An act to prohibit the sale of liquors within 1,000 yards of Thompson Depot or Station, on Ohio Valley Railway, in Union county.

An act to incorporate the Co-operative Mining and Manufacturing Company, of Hopkins county, Ky.

An act to incorporate the town of Buffalo, in Larue county.

An act for the benefit of James H. Young, of Adair county.

An act for the benefit of Mrs. E. E. Bone, of Hickman county.

Resolution for the benefit of Mrs. S. E. Boone, of Graves county.

Mr. Bryan moved that a committee be appointed to act in conjunction with a similar committee appointed on the part of the House to wait upon the Governor and ask if he had any further communication to make this General Assembly.

Whereupon, the Speaker appointed Messrs. Bryan, Alford and Feland said committee.

A message was received from the House of Representatives announcing that they had appointed a committee to act in conjunction with a similar committee appointed on the part of the Senate to wait upon the Governor and ascertain if he had any further communication to make to this General Assembly.

After a short time, Mr. Bryan, from the joint committee appointed to wait upon the Governor, reported that he had per-

formed that duty, and that the Governor had no further communication to make to the General Assembly.

Mr. J. R. W. Smith moved that a committee be appointed to inform the House of Representatives that the Senate had completed its business and was now ready to adjourn.

Whereupon, the Speaker appointed Messrs. J. R. W. Smith, Neat and Burnett said committee.

After a short time, Mr. J. R. W. Smith reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had completed the business of that body and were now ready to adjourn.

The Speaker then declared the Senate adjourned *sine die*.

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